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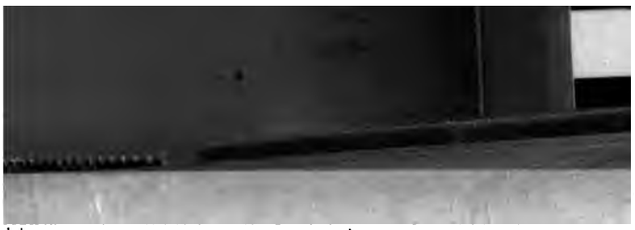
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THE ETHICS OF WEALTH: ITS ACQUISITION, USE, AND DISPOSITION.

BY W. H. QUAINTANCE.

FIRST, in a discussion of the question, we should know what wealth is. The usual definitions are vague and uncertain. I believe it to be, and for the present purpose shall assume it to be, that which can be appropriated, parted with, and is capable of being used to satisfy human desire. Talents are not wealth because they cannot be parted with. Money is not wealth because it cannot satisfy desire, except perhaps in the miser, who, so far as he is satisfied with money simply, is insane. Bonds and certificates of stock are, likewise, not wealth but only its representative. (Clark's "Philosophy of Wealth.") Wealth, then, consists in food, clothing, buildings, lands, carriages, railways, pictures, musical instruments, books, etc.

One other question also needs to be settled before entering upon our subject proper: Is it right, or in other language, is it ethical, to accumulate wealth? and if so, is there any limit to the quantity which may be ethically taken under control? If we look to the lower animals we shall find that they as instinctively accumulate wealth as they do any other act necessarily associated with their existence. (W. S. Lilly, in 8 *Forum*, —.)

By laying aside any right which civilized man may have in common with the brute creation to create wealth, we note that to take from man his wealth would be to take from him his civilization and to reduce him to the state of the barbarous savage

where his only concern would be to maintain existence. In other words, wealth is a necessary concomitant of civilization; wealth and civilization go hand in hand, mutually supporting and assisting each other. So far as civilization is concerned, wealth is the great *sine quo nullo*. Certainly no one will deny that civilization is right nor that if wealth is to be accumulated somebody must accumulate it. Hence it is right for men to accumulate wealth and the limit to its acquisition can only be reached when civilization has reached its limit. Perfect civilization is the embodiment of ethical life. Therefore ethical principles call for the accumulation of wealth.

As to the first part of the subject, with a limitation on the word "honor," making it mean only that kind of honor sanctioned by the highest form of ethics, I would say unreservedly with the poet Burns, "Gather gear be every wile that's justified by honor." With this I would wish to leave this part of the discussion, and I would leave it were it not for the fact that it seems to be an established law among writers on this and kindred subjects not to rest content with having stated a matter in clear and easy language, if by any chance they should do so, but must proceed to make a sort of Chinese puzzle which is likely to require as great an amount of labor to ascertain its meaning as the point contained therein is worth. So in partial obedience to that law, I shall endeavor in another way to show in what ways and by what means one may rightly acquire wealth.

In the first place, a thing is worth, *at a given time*, so much and only so much as it will sell for in a free and open market. That a given piece of property will sell for more at a private sale than at a sheriff's sale affords no contradiction of the proposition, because the man who buys a piece of property at private sale for his own use purchases when it suits his convenience so to do, and, moreover, pays the price he does, not so much because the property is intrinsically worth the amount, but because he has a fancy for that particular property. Another man with equal financial ability and equally desirous of a home might refuse to pay one half as much for the same

property for the same purpose. The real value of a thing does not change with the money market, but its value does change, *as measured by a money standard*, for that standard is a fluctuating one.

Suppose a man secures a stick of timber from the woods or buys it for a trifle, no matter which, only so that he gets it honestly, and by his ingenuity and skill converts the rough timber into useful articles of furniture, and, having placed the same on the market, sells the finished product for one hundred dollars. Certainly no one will deny that this money is justly his and that the laborer may do what he wills with the cash so long as he does not use it to another's damage. Now if this same man by like honorable methods, having purchased the land in the immediate vicinity, builds a mill by this wood, utilizes the water of a neighboring stream for motor power, and by careful management and judicious increase of facilities, in the course of twenty or thirty years has a manufacturing town at that place and has gathered together property that will sell for one hundred thousand dollars, what sane man will deny him all the rights and privileges with respect to the one hundred thousand, that he had with respect to the one hundred dollars? Far from imputing dishonesty and a corrupt motive in the man who has thus accumulated a fortune, Wisdom would applaud him as a benefactor. For he has afforded sustenance to the townspeople and helped them to a better living than they could otherwise have secured. That these people must necessarily have abandoned some other place to come to this one is conclusive evidence of this fact. If a man may rightly gain one hundred thousand dollars, there is no reason in the nature of things why he may not with equal right amass a hundred million.

But you say it is impossible that so much wealth should be amassed in the life of a single man. How do you know? Because your narrow view, shortsightedness, and feeble mind do not enable you to amass such wealth that is no proof that another may not have the requisite qualities in sufficient degree or that he may not amass this fortune. But you say he could not have gathered it honestly and because he gathered his wealth by

fraud he should be compelled to disgorge and divide. Here again you show not only your unsurpassed ignorance but a disposition as unscrupulous as that which you impute to your more fortunate neighbor. For you have not only stated as a fact that of which you know nothing but seek to share wealth toward the creation and accumulation of which you have done nothing. Your wealthy neighbor has the same right to impute fraud in you as a means of gathering your ten dollars or your one dollar that you have to impute fraud in him in the acquisition of his millions. If fraud had indeed been committed, the burden of proof, in all common sense and reason, as well as in law, is upon you. The injured party has a right to have that restored which has been fraudulently taken from him together with additional wealth as compensation for the damage sustained and the state should punish the defrauder for his crime. But the wealth which he has acquired honestly is as truly his and he has the same right to protection, *pro ratâ*, in its possession that the man has whose dollars may be counted on the fingers of one hand. It is to be noted that accumulated wealth is not necessarily created wealth. It may have been secured by robbery of which a notorious sort is explained by T. G. Shearman, in 10 Forum, 550.

Not only has a man a right to accumulate wealth but no man has a right to go voluntarily into pauperism, for the simple reason that no man has a right to put himself into such condition that he will be continually tempted to lie, to cheat, to steal, or to do any other wrong thing. He has no right to place himself in such condition among men that only an angel could withstand the temptation to crime and "where he will be liable at any moment to become by sickness a burden upon his friends" or the state. "Poverty is a condition which no man should accept unless it is forced upon him as an inexorable necessity or as the alternative of dishonor." (Mathew's "Getting on in the World," page 280.) In wealth there are many dangers but in poverty there are many more.

Acquisitiveness, like the faculties of love and adoration, is God-given and like them may be wrongly directed. But the

fact that it does, like them, at times lead men astray, is no sufficient reason for its condemnation. "To destroy the possibilities of evil we must destroy the universe." (M. J. Savage, in 7 Arena, 312.)

The second part of my subject I think I can also sum up clearly and completely in few words. I will endeavor to put it in two sentences: First—Use wealth to create more wealth, for you thereby increase the possibilities of development in the human race. Second—Wealth is placed to its best, and therefore, necessarily, to its highest ethical use when so placed as to create the greatest amount possible of new wealth, for it thereby, so far as that particular portion of wealth is concerned, reduces to the minimum the amount of time men must devote to the procuration of their daily needs and gives the greatest amount of leisure time in which to develop mental, moral, and physical faculties by study, investigation, etc., and at the same time affords another and no less blessing in employment and diversion from criminal thought to that portion of humanity whose mental capacities are not yet developed to a point where they can employ leisure time to the advantage of themselves or of the race. Here we must caution ourselves against the too common belief that wealth is creating most wealth when it enables us to clip mortgage coupons for the interest. That is the narrow and miserly view and not acceptable in the broad field of ethics. Wealth may be, and frequently is, of far more creative force when put into sanitary improvements; a "Cooper Institute," or an orphans' home.

We pride ourselves upon living in America, the land of freedom, where, we wish to have ourselves believe, is recognized "No nobility save that which nature gives; no titles save those which men themselves achieve." And yet, by our laws, we not only countenance but encourage the accumulation of vast fortunes to be left, upon the demise of those who accumulated them, to heirs or personal favorites, who frequently have no capacity for the handling of wealth beyond glorying in its possession and using it to the degradation of society and to the injury of themselves and those about them. In consequence of

which it happens frequently "That the learned pate ducks to the golden fool." Maintaining political equality we allow an inequality of wealth which threatens to subvert it.

The world is the property of its inhabitants and every man has an equal right to life upon it. So, likewise, each man upon assuming the responsibilities of an independent member of civilized society has a right to an entrance upon an equality with all who enter at the same time. In other words, he has a right to have, at the commencement of such independent career, an equal share of the things of the world necessary to his advancement. Money, like knowledge, is power. Without sufficient wealth at his command, that he need not be continuously concerned about the means of his daily subsistence, a man cannot be truly said to be in the condition of development. Before he can develop intellectually he must have leisure for the exercise of thought, or in other words, be relieved from the care and worry of supplying his simple animal needs. And the greater and more extended the investigation the greater must be the supply of wealth to support it. (Leslie F. Ward, in 2 Forum, 551.) Let me illustrate: A man who is compelled to devote his whole time and thought to securing necessary food and clothing becomes averse to society; narrow minded; and ceases to develop other than as the lower animals, if, indeed, he does not go backward. It is a known fact that in populous cities the proportion of marriages varies indirectly with the price of bread. Under such conditions man becomes dwarfed and brute-like both physically and mentally. (H. C. Potter, in 152 N. Amer. Rev., 513.) Moreover, under such conditions, the more enlightened classes have the greater hesitancy in contracting the marriage relation while the more brutal element of society is, if possible, more lax. The result is that the vicious classes are propagated and the human race degenerated. (Henry H. Wilson's "Reign of Law," page 8.) Wealth is the only thing which can change the condition and therefore is a necessary precedent to a change of result. It is a mistake to say that "the paradise of the rich is built on the hell of the poor," or that "the rich are growing richer and the poor are growing poorer," especially when there

is implied thereby that the rich are growing richer at the expense of the poor. For the poorest of men, who are not criminally inclined, in civilized life, are much better provided for; have much greater freedom and greater possibilities are at their hands than may be found in the highest stages of savage life. and the difference in condition, between man in civilized and in savage life, is due to the accumulation of wealth. In civilized life the poor man may improve his condition if he will. In savage life he remains at the bottom. (Andrew Carnegie, in 148 N. Amer. Rev., 653.) Wealth is a necessary precedent to higher, or ethical, development. Wealth need only be feared when in the hands of the idle, incompetent, and vicious; those who never make but always destroy. Even then it is not the wealth but its possessor who endangers society. The man who *earns* his millions seldom or never uses his wealth except to create more wealth and is himself usually a harder worker and more constant than any of his employees.

The men of wealth and ambition who have built up our great manufacturing industries and extended our great railway systems have thereby given remunerative employment to thousands of men who must otherwise have struggled for a mean existence by a rude agriculture; they have wedded the East to the West, thereby cementing the Union; have opened up to settlement the great West, and made it possible for the poor of the eastern cities and of foreign countries to secure a home, the first great need of civilized man; and have contributed more than any other one class of men to our greatness as a civilized nation. (Fiske's "Critical Period," page 60.) These men are held in execration and contempt, but only by those whose narrowness of view, shortsightedness of vision, and contemptible littleness of mind and soul prevent them from seeing the good and incapacitate them from doing a like service. "Like Virgil's harpies they seek to excite disgust at the banquet which they themselves are eager to devour." "Believe not much them that seem to despise riches," says Bacon, "for they despise them that despair of them and none worse when they come to them."

How may we secure the same equality of right to the means of advancement in life that we give the possessor of that life? First, allow to each man that and only that which he has earned. Second, prevent the bequeathing of estates, and thereby force their possessors to dispose of them during life, when we may depend that the property will not be recklessly thrown to ignorant and profligate children or friends, for the men who have the ambition and ability to make wealth are competent to dispose of it judiciously. If it be objected that often legatees have performed services for the deceased during his lifetime for which they should be rewarded, I answer, if the service is such that it can be paid for in money, let the party to whom the debt is owing see to collecting the amount from the debtor during his lifetime, or from his administrator, the same as all other honest debts are now collected and paid. If the service is one that cannot be paid for in money, then money cannot discharge the obligation. No man has a right to bequeath a fortune to an ignorant and incompetent legatee. For he thereby does violence to the real faculties of that legatee and endangers the peace and well-being of that society without whose concurrence he could not have amassed the wealth.

If there are some men who wrongfully dispose of wealth which they have *earned* "let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it." They do not know the possibilities and real joy of living who thus squander their substance. And the fact that such monstrosities can and do exist will stimulate to nobler action those who do know how to use their wealth. Third, make the ownership of property by husband and wife a joint ownership. Make them partners in law as they are in fact. This will not only assist to the accomplishment of our main purpose of an equitable distribution but will do away with one of the most common and fruitful means of fraud and corruption now known to commercial life. Fourth, upon the death of the husband or the wife let the title to the property vest in the survivor. Upon the death of such survivor let an administrator be appointed, as now is done, to collect the

assets and pay the indebtedness of the estate. Then let the surplus be paid, not "into the privy coffer of the state" as a forfeit for some crime committed, but into the general fund of the state and out of this fund let there be paid to each young man or young woman upon the attainment of their majority, or being from other cause thrown upon their own resources, a sum of money equal to the average amount of wealth in the state for each inhabitant above the age of twenty-one years, as such wealth, measured by a money standard, is shown to be by the last annual assessment and census returns. The children of wealthy parents will not then be found spending their youth in idleness and dissipation or sliding through college on the reputation of their parents; but knowing that they are soon to be placed upon their merits will aim to make the most they can of the advantages offered by those parents to fit themselves for a high plane of living. While the children of poor parents will see a rift through the cloud of discouragement which now hangs so heavily upon them because of their poverty and with renewed hope will struggle with greater zeal to fit themselves for higher and better living. The eyes of the civilized world will be more watchful of our young men and young women. If in any one there appears a capacity, above that of his fellows, for literature, painting, science, money-making or any other of the essential elements of higher civilization, such fact will quickly become known and promotion will follow accordingly.

It is as unfair and unjust and inethical to all parties that a man should at death turn his accumulated wealth into the hands of his son with which the son may begin commercial life, as that a congressman or president, dying in office, should invest one of his sons with that office and thereby enable such son to begin political life where the father left off. We have put aside the theory of the divine right of kings. Let us be consistent and also put aside its companion piece divine right to inheritance of wealth, and the advancement which we shall make by disposing of the latter will not be less either in extent or benefit than that which our fathers made by disposing of the former.

H. W. QUAINTANCE.

A SCHEME OF CONSTITUTIONAL AMENDMENT.

BY A. B. AND H. FARQUHAR.*

THE veneration and pride with which every citizen of this republic looks upon the great national charter that has been its acknowledged sovereign for more than a hundred years—that has dominated the institutions under which, in ordered freedom, he has been reared, and which are guiding him to new triumphs of material prosperity and civilization with every decade—are no vain sentiments. The greatness of our Constitution is confessed not only by those who live under it, but by witnesses in many another land: by statesmen in France, who have kept it in view while building up three successive republican structures on the ruins of monarchy there; by English radicals, who look to the Senate it called into being as a model for the reformed "Upper House" which they are seeking; by English Tories, who seek to make of the cohesive force our Union has maintained under it a point against Home Rule; by the great English Liberal, William E. Gladstone, who called it "the mightiest work ever struck off at one time by the brain and purpose of man"; by the embryo Commonwealth of Australia; by every nation of this Western world, which, as soon as it supplants the rule of a monarch by that of a people, hastens to pattern its new free government by the work of the Philadelphia Convention. It is only since our adoption and triumphant vindication of this Constitution, that men have ceased to speak of republican government as an experiment.

But exalted merits are not perfection. If we would get from constitutional government all it is capable of giving us, more than one of the provisions of this venerable instrument may need to be overhauled and repaired, with the same scrupulous care that was used in their original construction. We have had

*Authors of "Economic and Industrial Delusions."

already to acknowledge, by fifteen amendments, that the work of our constitution-builders was incomplete in many ways; and if other incompleteness should disclose itself under impartial scrutiny—if a few defects yet demanding remedy should appear in the midst of our bright vista of excellences—the discovery would throw no more serious imputation on the work of our founders than has been already thrown by the fifteen amendments we have attached to it.

It cannot be said that there has ever been serious danger that these facts should be forgotten. On the contrary, many of our ablest statesmen, while earnestly trying to make the best of the Constitution given them to work with, have sought to introduce improvements of one kind or another. They have always found it easier to suggest amendments, indeed, than to have any action taken upon them, for there are many difficulties in the way of all Constitutional change. First, the cumbrous apparatus to be set in motion, and the time required to make this apparatus work. Second, the interests with which every needed reform is in conflict, and the enormous advantage given to the opposition, that needs to control only one third of the membership of either House of Congress, or a majority in either branch of a bare fourth of the State Legislatures, in order to be completely successful. Third, unthinking conservatism; to speak more definitely, the disposition to give credit to institutions for blessings which are really quite independent of them—forgetting to compare the degree of personal liberty enjoyed in the South American republics, for instance, under constitutions as perfect as ours, with that in England, under monarchical forms, and no definitely fixed constitution at all. Fourth, the fact that the language of our fundamental law as it is has become the basis of all judicial procedure; every clause has been made precise by interpretations from the bench, and much of this work would have under amendment of any kind to be gone over. It is as little because we fail to appreciate the difficulties in the way of all change, as because we are lacking in respect for the Constitution as it was first enacted, that we advocate the present scheme of amendment.

In several ways, it appears to us, the Federal Constitution has fallen short of reasonable expectations, and could readily be corrected. 1. It has unwittingly permitted the growth of a great abuse, the failure to set a Congress at the work for which it is elected, until thirteen months after its election, and the committal of important legislation—including half the entire work of devising and passing appropriation bills—to a Congress that the people have voted to supplant. 2. Its choice of the State Legislature, as the arena of senatorial elections has proved unfortunate. 3. Its provision for the decision of contested congressional elections is gravely at fault. 4. Its invention of the office of vice-president has worked badly. 5. Its device for electing the president proved a failure after one or two trials, and the system which has grown out of it is clumsy, costly, unfair, productive of needless disturbances and culpably open to corruption. 6. Its exclusion of congressmen from all executive office has been in the interest neither of the best legislation nor of the best adminstration. 7. It has failed to guard against the iniquity of "legal tender" acts. For each of these defects we propose a remedy, and it will be seen that the total effect of our proposed remedies is to shorten, simplify, and clarify, rather than obscure and amplify, the instrument to which they would be applied. After each suggested amendment (beginning of course with No. 16) we add a few words of explanation.

Senatorial terms to begin and Congress to meet in January.

ART. XVI., SEC. 1.—On and after the year 1897, all terms in the Senate of the United States shall begin and close on the first day of January.

SEC. 2.—In Art. I., Sec. 4., Cl. 2, of the Constitution,* for "December" shall be substituted "January."

The Constitution defines the terms of senators, but not of representatives. The former must serve for six years, except where the second clause of the third section applies; the government was set in operation on the first Wednesday in March,

* "2. Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day."

1789, having been prevented by the dilatory methods of those days from beginning with the beginning of the year; and thus that day of March which happened in 1789 to be the first Wednesday has become the fixed date for the beginning and close of senatorial terms, and presidential terms with them. It was well enough to resolve upon starting the Federal machinery on the fourth of March in 1789 (although, as a matter of historical fact, the starting was not fully accomplished for some weeks thereafter) but later experience has proved the date gravely inconvenient. Too late for the opening and absurdly early for the close of the necessary winter session, it needlessly crowds and rushes the legislators whose work must be completed or botched in time for it. Though there is not a word in the Constitution to authorize the continuance of a representative in office after his successor has been duly elected, that abuse has crept in—we need not stop to inquire how. By the proposed change, all these evils are at once corrected. If senators now in office cannot be persuaded, for the public good, to vote that their own official terms be shortened by two months and three days, let them put this amendment in operation in 1899, or 1901.

Senators to be Elected by the People of the States.

ART. XVII. SEC. I.—In Art. I., Sec. 3, Cl. 1 of the Constitution,* for "Legislature" shall be substituted "people."

SEC. 2.—In Clause 2 of the same Section,† for the last sentence shall be substituted: "And if vacancies happen by resignation, or otherwise, the executive authority of the State shall issue writs of election to fill such vacancies."

It is not denied that, in the century under our Constitution, a great many excellent senators have been elected by the Legislatures;‡ but it may quite confidently be denied that the same

* "The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote."

†See note to Art. XXII., below.

‡One of them has just denounced this very reform in an elaborate speech, the burden of which was that its adoption would stamp our Senate hitherto as a "failure." If things are to be accounted failures whenever they need improvement, the same Senator's mighty work in the summer of 1890, helping to overhaul and renovate the whole Protective system of the United States, must have stamped that system with the same condemnation. We congratulate the distinguished Senator on the brilliant success his improvements have won for it since.

men, or men as excellent, could not have been elected by the popular vote. On the other hand, many of the worst senatorial selections that are constantly made along with the best, of men who had nothing to commend them but an ample fortune and a lavish use of it in fixing the Legislature, would have been impossible by a popular vote. Another consideration is even more important: the voter has the right, in choosing a state legislator, to regard state unmixed with national issues in his choice. If a citizen, for example, disapproves at the same time of high tariffs and of the methods of Tammany Hall in state legislation, he ought not, in justice or sound national policy, to be compelled to decide between voting for a Tammany Assemblyman and contributing to elect a high-tariff United States Senator. The proposed amendment would give us better senators, unquestionably, and with them better state laws.

Congressional Contests to be Decided Outside of Congress.

ART. XVIII. SEC. 1.—At the end of Art. 1., Sec. 4., Cl. 1 of the Constitution,* for "except as to the places of choosing Senators," shall be substituted: "and provide for the judicial decision of all questions of the elections, returns and qualifications of members of either House."

SEC. 2.—In Art. 1, Sec. 5, Cl. 1,† the first seventeen words shall be omitted, and the word "House" shall be inserted after the fourth following word, namely, "each."

Some centuries ago, when the British House of Commons (progenitor of our Congress) was fighting for its privileges against royal encroachment, it was no doubt vitally important to the cause of liberty that the popular assembly should not depend on the king's courts to determine who should and who should not be its members. But we have seen the House of Commons, in our own century, resign that cherished privilege to the courts of law, without compulsion and without misgivings; nor has British liberty sustained the smallest injury by the transfer. There

*"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing Senators."

†"1. Each House shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; . . .

cannot be a doubt that if our Constitution were to be originated anew, the provision leaving with the Houses of Congress the right and duty to decide as to their own membership, which passed a century ago as a matter of course, would now be found with scarce an advocate. For experience has shown here quite as plainly as among the British, that this method of securing decision of such questions is incurably vicious. Members of Congress are chosen as advocates, not as judges. The duties rightly belonging to their place exact too much of their time—and this is the confession of a distinguished congressman—to permit them to weigh, or even to examine all the evidence in a contested election case. No member sitting in judgment in such a case is ever made in any way responsible for an unjust decision, though he is invariably and severely made responsible for a decision opposed to the interests of his political party. Instead of what they should be, judgments inspired and molded by equity, these decisions have become a byword and a reproach to republican institutions. No one respects them, and each successive decision lowers respect for the House which makes it. Yet nothing could be more needless. The proposed amendment, in giving the Congress power to provide by law for the decision of contests in the courts, and to modify this law as may be found expedient, is duly careful of the dignities and privileges of that illustrious body.

Discontinuance of the Vice-President's Office.

ART. 19., SEC. 1.—Art. I., Sec. 3, Cl. 4 * of the Constitution is hereby repealed.

SEC. 2.—Art. I., Sec. 3, Cl. 5 † shall be amended so as to read: "The Senate shall choose their Speaker and other officers."

SEC. 3.—Art. II., Sec 1, Cl. 6 ‡ shall read: "The Congress may, by law, provide for the case of the removal of the President from office, or

* "4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided."

† "The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States."

‡ "6 In case of the removal of the President from office, or of his death, resignation or inability to discharge the powers and duties of said office, the same shall devolve on the Vice-President, and the Congress may, by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer," etc., as in the text.

of his death, resignation or inability to discharge the powers and duties of said office, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected."

SEC. 4, from ART. II., SEC. 1, Cl. 1* the words "together with the Vice-President, chosen for the same term," from Sec. 4 of same Article* the word "Vice-President," and from Art. XII. of the Amendments,* all provision for the election of a Vice-President, shall be omitted.

ART. XX. to ART. I., SEC. 3, Cl. 1† of the Constitution, after "State," shall be added the words, "and one Senator from the district formed as provided in the seventeenth clause of the eighth section of this article."

It is impossible in candor to consider the office of vice-president, provided by our Constitution, as much better than a blunder. True, it would have been a greater blunder to make no provision at all for a vacancy in the presidential office; but the Constitution contained a very suitable provision for such emergencies in the clause which (with the omission of mention of the vice-president) is quoted in the proposed Section 3, above. The failure of our Congress to perform the duty imposed on it by this clause—a failure which really continued until 1886, when the succession was at last vested in the officers of the president's cabinet—long gave our vice-president the appearance of a political necessity; but there is now no reason for considering him as anything but what he is. While the president lives, his sole function is that of preventing the Senate from enjoying a right that ought to be allowed to every deliberate assembly, that of choosing its own presiding officer; when the president dies, his duty is to furnish the people with a chief executive whom they would never have selected for the place if free choice had been permitted them. To speak of the election of our vice-president, every fourth year, as in any true sense a choice by the people, is an abuse of language. The second man on the ticket is never elected by the people on his own merits, but solely on those of his chief. There may have been thousands of tariff-reform voters last year who gravely objected to Mr. Stevenson's war record, and other thousands of

* See note to Art. XXI., below.
† See note to Art. XVII., above.

protectionist voters who as gravely objected to Mr. Reid's attitude toward labor unions; but both alike found their hands tied and all liberty of giving effect to their objections denied them, save at the impossible price of advancing a national policy they believed unwise. As men of principle will not pay this price, men of principle are not considered in the bestowal of vice-presidential nominations. These choices are made with the view of catching a few uncertain votes from citizens who care little for the important issues at stake, and can therefore be recruited for the presidential ticket in that way. Of this fault both parties have for many years been guilty—though perhaps not equally; and in this fault they will persist as long as our method of electing a president remains unreformed.

By the proposed third section, unless our legislation under it shall be changed, the secretary of state stands next in succession to the president, and the secretary of the treasury follows him. No better arrangement could be devised; and this will continue in effect without any further enactment. The objects of the proposed twentieth amendment are two: to give congressional representation to citizens of this country who are now denied that right of citizenship, and to make an odd number of senators, and so avoid ties.

Election of the President by the House of Representatives.

ART. XXI., SEC. 1.—In Art. II., Sec. 1., Cl. 1 of the Constitution,* all that follows the word "office" shall be omitted, and these words substituted, "until his successor shall have been elected."

SEC. 2.—Art. II., Sec. 1, Cl. 2† shall read as follows: "The President shall be chosen by the House of Representatives, on a day appointed beforehand by the affirmative vote of a majority of all the members thereof; but that day may only be (1) within twenty days after the first organization of a newly elected House; (2) within twenty days after the office shall become vacant, by death, resignation or

* "1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice-President, chosen for the same term, be elected as follows":

† "2. Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector."

otherwise; (3) within twenty days after the reassembling of an adjourned session of the House, provided that the office shall have become vacant and been temporarily filled during the recess, or (4) at such other times as the Senate may permit. But no permission shall be valid unless given by the affirmative vote of two thirds of the whole number of Senators.

SEC. 3.—Art. II., Sec. 1, Cl. 3 and 4,* and Art. XII. of the Amendments,† are hereby repealed.

ART. XXII., SEC. 1.—In Art. I., Sec. 2, Cl. 1 of the Constitution, for "second" shall be substituted "third."

SEC. 2.—The Senators shall be chosen one half every third year, and the language of Art. I., Sec. 3, Cl. 2‡ shall be modified accordingly. If the sixteenth and seventeenth amendments here proposed shall be adopted, the said clause shall read as follows: "They shall be divided into two classes, so that one half may be chosen every third year. The

* Cl. 3 superceded by Amendment XII. in 1803.

"4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States."

† "Art. XII. The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name, in their ballots, the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed, to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, and if such number be a majority of the whole number of electors appointed. And if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President; but in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the States shall be necessary to a choice; and if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice-President of the United States."

‡ "2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class, at the expiration of the sixth year, so that one third may be chosen every second year. And if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies."

first shall include all whose terms begin in 1891, which terms shall end the first of January, 1897; the second, all whose terms begin in 1893, which terms shall end the first of January, 1900; while the terms beginning in 1895 shall end the first of January, 1900, with the second class, or the first of January, 1903, with the first class, as may be required to give each State one Senator of each class. And if vacancies happen by resignation, or otherwise, the Executive authority of the State shall issue writs of election to fill such vacancies."

ART. XXIII., SEC. 1.—From Art. II., Sec. 2, Cl. 2,* the words "judges of the Supreme Court" shall be omitted.

SEC. 2.—In Art. III., Sec. 1,† after the words "Supreme and inferior courts," shall be inserted the words: "shall be elected by the Senate."

Few facts are better known to students of our institutions than these two: That our method of electing a president is, in every particular of empty form, exactly what the Constitutional Convention prescribed, except for a slight change introduced in 1803; and that the election is nevertheless a totally different process, in reality, from anything that any member of that convention ever contemplated. Those who seek to reform this method need therefore be in no fear of impeaching the wisdom of the original Constitution-makers. A failure to reform it is indeed much more truly an imputation against them; for every quadrennial repetition of the stupid and disgusting travesty that the assembling and pretended voting of titular presidential electors long ago became, is a new discredit to all who are responsible for it. The convention, it has been shown, fixed on the electoral plan without a clear idea how it would work, simply because no more intelligible plan could be agreed upon. A direct popular vote was distrusted; election by Congress, though once preferred and actually adopted, was afterward rejected for fear of giving too much power to that body. It is very easy to see, by the light of experience, that the impotence into which the electors, of whose wisdom and discrimination so much was at first expected, afterward fell, was imposed upon them by the

* "2. He [the President] . . . shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, consuls, judges of the Supreme Court."

† "SEC. 1.—The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their office during good behavior, and shall, at stated times, receive for their service a compensation, which shall not be diminished during their continuance in office."

very act which created them. In providing that their labors should be utterly thrown away unless a majority of them should be of one mind, in denying them all opportunity for consultation by prescribing that their meeting should be once only, on the same day, and in their own states; in giving them no powers but to vote and then dissolve into nothingness, the Constitution itself condemned them to the functions of mere machines. Is it possible to revive the electoral college, so as to make it really the intelligent agent our fathers desired? The only way to do this is by removing its sources of weakness; to gather it in one place, where its members may reach an agreement by consultation and compromise, voting again and again if necessary; to compose it of men who have real weight in public affairs, instead of the material which is customarily put on our quadrennial electorial tickets. It is more than doubtful if even this would be sufficient, the habit of voting a state's electors like puppets having become by this time so firmly established, if the college were not further strengthened by making it identical with some body which already enjoys a character and prestige of its own; hence the only plan for electing a chief magistrate by delegated votes, that has any promise of success, is one which will give the election, under proper precaution, to a House of Congress.

The alternative is to make the election, like that of a state's governor, purely an affair of popular votes, to be decided by a plurality in the aggregate count; with the provision that if a state restricts its suffrage in any manner not forbidden by the Constitution, its votes shall be multiplied in the count by the proportion which the whole number of its citizens bears to the portion to which the vote is limited. For example, if a state allows the right of suffrage only to those able to read, and these constitute four fifths of its citizens, twenty-five per cent should be added to its aggregate vote for every candidate, to put all states on an equal footing. A provision of this kind would be simple, easy to formulate and to operate, and would be an immeasurable improvement on our present monstrosity—for one reason, it would make the work of the corruptionist more

difficult by allowing no such specially advantageous fields for his work as our "close states" now afford him. Why, then, is an election by Congress to be preferred? First, because it is desirable that such a choice should be made by men who have the power of consulting together, comparing views, and so acting more intelligently. The electoral college, owing to its separate meeting and single vote, never had that power; to the citizens in mass it is impossible; and the necessary consultation and selection have therefore fallen altogether into the hands of party conventions, bodies chosen without any sanction of law, legal control over their acts, or even a guaranty of their representative character. The House of Representatives is, so far as our laws can assure us, really representative,* and has therefore the very qualities which ought to distinguish the electoral assemblage, along with an historic standing that would prevent it lapsing into a mere machine, however regardful it might be of the preferences of its electors. Another reason for an election by the House is the high desirability of having all possible harmony between executive and popular branch of Congress. This harmony would not be quite so complete, in the plan here proposed, as it is in the parliamentary governments of England, Italy, and France; but the people would at least be assured, after taking the trouble to elect a House for the furtherance of a particular legislative policy, that the president would not remain an obstacle in their way. The proposed election is like that in business corporations where the body of stockholders elect a board of directors, who in their turn choose a president. Satisfactory on the smaller scale, it would prove equally so on the greater.

It is worth while to make special explanation of the limitations which accompany the proposed congressional election, where they do not explain themselves. Recent experience, particularly in France, appears unfavorable to the system of absolute parliamentary rule—of putting the whole administration at

* It would be unimpeachably so but for the "gerrymander," an operation imposed as a regular duty on State Legislatures by unwise law. This fault, so easily curable by congressional action and calling for no Constitutional modification, need not here be further discussed.

the mercy of an instantaneous majority in the House—nor would it be suitable in our country to provide greater stability by permitting a dissolution of the Congress in case of disagreement. All the benefits, and none of the drawbacks of congressional choice would doubtless be attained by giving the House full control over the presidency for its first few weeks, after it comes fresh from the people ; and at no other time, unless circumstances beyond the control of the House should make a new choice necessary. The provision giving two thirds of the Senate a power to permit an election at any time is designed to enable the House to replace an unfit executive without branding him with "treason, bribery, or other high crimes and misdemeanors." Our history has plainly shown the need of such a provision. We had once a president whom the great weight of opinion, as embodied in the statesmen of our national legislature, was united in declaring completely unfit for his place. So decided was this opinion that the House of Representatives, as the only way to give it effect, enthusiastically voted him "guilty of high crimes and misdemeanors," which he was not, and the Senate came within a hair's breadth of committing itself to the same untruth. And yet, granting that the people's representatives represented the people, their conviction of the president's unfitness was something which our organic law ought to have given them means of acting upon, without necessary resort to technicalities and subterfuges.

It seems proper to anticipate some of the objections with which this change is likely to meet. The most powerful of these, doubtless, will be found in the allegation that our present system "has worked well enough," and that a change in it might bring upon us uncounted evils. This will be sincerely said ; and yet nothing could be more opposite to the truth. The Constitutional Convention could hardly have resolved upon a plan which would have worked worse. It is true that our disputed elections of 1800, 1824, and 1876 did not actually plunge us into civil war ; but they would most certainly have brought that calamity on many another country under the same system, and the same cause, our Anglo-Saxon veneration for legality,

which kept us straight at those times, would be quite sure not to fail us under a more smoothly-running system. Another objection may be founded on the supposed necessity of keeping the legislative, executive, and judicial branches of our government as distinct as possible, and the fear that the proposed scheme may tend to confuse them. But a complete independence of legislative and executive is out of the question, as long as both are chosen on the same issues; and that will be at least as long as the chief executive is allowed a voice in legislation. The proposed provision, on the other hand, preventing the removal of the president by the body that elects him, and strictly limiting the times at which that body may elect, leaves a large degree of independence undisturbed in executive hands. A third objection will be based on the fact that this amendment allows the inhabitants of less populous states no more than their fair share in the choice of a president. The fact that it seeks to be equitable will be turned against it, in the name of what will be called "states' rights." These alleged rights furnish one of the instances of a figure of speech which, usually harmless, is sometimes perverted to the working of great mischief. Properly speaking, of course, to speak of the rights of states is as indefensibly absurd as to speak of "the rights of silver" in a coinage debate; for rights can belong only to beings that have capacity to suffer. The citizen has a right to have the greater part of the government over him carried on by those who live near him, and have interests united with his, because he can suffer if his government is thrown entirely into remoter hands; and it is admitted that to speak of the real principle, the right of the citizen to home rule, and to speak of a baseless figment, the right of the state to certain powers, may often come to practically the same thing. But when the expression "states' right" is used to mean (and it is so used in this connection) an assumed right of a resident of one state to have two or many times more voice in the choice of a president than the resident of another state, by virtue of his residence only, then that expression ceases to be a harmless metaphor—it becomes a deadly foe to justice and fair dealing. The real force

of this objection is doubtless to be felt, not in any foundation which might be claimed for these pretended rights in equity, but in their practical power to obstruct: for a smaller state, having a voice as potent as any in the Senate, and in helping to make up the quota of three fourths necessary for the enactment of a Constitutional amendment, might not unnaturally resent a plan, however equitable, which did not specially favor inhabitants of smaller states. It might, assuredly, but we do not believe it would. Our present system of presidential choice, by permitting the greater states to mass their vote as one whole, in electoral colleges and conventions, gives to their people a political weight which more than overcomes, in the selection of candidates and in the choice for important appointments, the preponderance which the Constitution grants citizens of the smaller; and the latter will probably be very ready to consent to an equitable partition of elective power on this ground alone.

Other objections may be met by admitting one or two additions to the plan, as seen in the proposed twenty-second and twenty-third Articles. It is a reasonable objection, that once in two years is too often for a change in the whole body of presidential electors, involving a probable change in the administration itself; and this is met by the proposition to have the congressional election every third year. This takes from the people no important power; for, though it affords them fewer opportunities of declaring their will in the choice of a popular House, it gives them no less opportunity to carry out that will—for they need, to make their will effective, the coöperation of president and Congress. The objection that the powers of the House of Representatives ought not to be increased, without a balance in the shape of increased powers for the Senate, is not unreasonable. In the proposed twenty-third Article, that would be met by turning over the appointment of all Federal judges to the Senate. This project has another merit worth noticing: it would probably completely correct an abuse from which our judiciary is not quite free, the bestowal of comfortable life positions on men to whom the appointing power is under personal obligations. Personal considerations do not generally enter into

the filling of elective offices, except where the electors are sadly boss-ridden. The Senate, moreover, is especially well qualified to elect these judges.

Appointment of Federal Officers from Congress.

ART. XXIV.—At the end of Art. 1, Sec. 6, Cl. 2 of the Constitution,* after "continuance in office," shall be added: "Unless his appointment be approved by the affirmative vote of a majority of all the members of that House."

The object of prohibiting members of Congress from holding executive office was clearly to keep the legislative independent of executive influence. The clause which does this is modeled after British parliamentary law, only made more stringent. But however valuable such a provision may have been when the British Executive was something very different from what it is to-day, it is not valuable now. In the parliamentary governments of Europe it is considered highly important—even indispensible—that the chiefs of executive departments should be members of one or the other legislative House, and the law in Great Britain is therefore solemnly dodged whenever a cabinet is formed. The plan which works so well in Europe might quite probably work well here. We do not maintain that it necessarily would work well; but we can see no possibility of harm, with a very fair promise of good, in so adjusting our fundamental law that the trial of it may be no longer impracticable.

Power of Declaring a Tender for Debts to be Withdrawn.

ART. XXV.—At the end of Art. 1, Sec. 8, Cl. 5 of the Constitution,† after the word "measures," shall be added: "But no law of Congress shall declare a tender for debts, or otherwise impair the obligation of contracts, within the jurisdiction of any State."

There is little reason for believing that the framers of the Constitution ever intended to give the Federal government any

*"2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office."

†"5. To coin money, regulate the value thereof, and of foreign coins, and fix the standard of weights and measures."

such power as that of making a tender for debts, and thus invalidating contracts. Congress is given no power of any other kind, over contracts within a state; and it seems improbable that the same men who took such pains to prevent the states from invalidating contracts, would have handed over so dangerous a power to the general government without distinctly saying so. Be that as it may, however, the general government undoubtedly has that power, for the Supreme Court recently discovered that the Constitution, by implication in some of its clauses, had unintentionally and unconsciously granted it. But since the legalizing of a tender for debts is nothing more nor less than the legalizing of a fraud on the creditor, this power ought not to exist anywhere—not in the Federal government, any more than in the individual states. There is not, nor ever was, the least need of a legal tender, for the proper discharge of money obligations; in fact, such obligations would rest on a far fairer and more equitable basis without it. If Brown contracts to deliver Smith one hundred bushels of wheat, there is no good whatever in legislation that would make so many bushels of oats, or such a description of mill receipts or elevator acceptances, an admissible tender for those one hundred bushels. The law meets every end of justice when it simply inquires what was the intention of the contracting parties, and, if that intention is not carried out, sets a jury to estimate how much Smith has been damaged, and levies on Brown accordingly.

With the power of vitiating contracts by legal tender once abolished, the country would be exempt from all danger of breaking its faith by payment of its debts in depreciated paper or debased metal, for those who had given it credit would be secured through judicial decrees against impairment of the value implied in its promises. No government paper could float unless people positively preferred it to gold, and this would prove an effectual bar to excessive issues. The silver question would disappear; for "free coinage," represented as the important point in this question, is really the smallest part of it. The thing that is so stoutly demanded and so strongly resisted, is not the unlimited coinage of silver into dollars, but the use of

dollars so coined in payment of obligations where other dollars were promised. Whether silver should have the form of coin or mere bullion would be a matter of slight importance if it were left to pass on its own merits exclusively, and there were no meddlesome legislation that sought to foist a fictitious value on it. Quite possibly this amendment might meet with serious opposition; but this need not necessarily be. Of the two great organizations which control the political life of the country, the Democratic party has always been properly jealous of encroachments by the central government; and surely no encroachment ever attempted by the central authority has been more hurtful, or calls more loudly for repression, than its assumption of arbitrary power over private indebtedness. The Republican party, moreover, contains a large body of earnest supporters of the public credit, to whom a provision for making that credit forever solid ought to be welcome. The only opponents that are reasonably to be expected are the groups of Socialists who, under one party name or another, are so often active in our politics—encouraged to indulge their extravagant dreams by the bad financial legislation into which we have been misguided in the past.

Essentials of the Constitution Unchanged.

A thorough revision of our organic law would doubtless include many other alterations, chiefly in the direction of cutting away dead wood. There are some provisions for a state of things that has forever passed away, which should follow it into extinction as they have already followed it into desuetude; and there are some provisions for a state of things that will never arrive (as with regard to congressional disagreement in Art. 2, Sec. 3) which are therefore superfluous. Our scheme of amendment has dealt only with those prescriptions which we believe positively hurtful. In setting it forth we have been as frank as our limited space permitted, with the defects which our country's experience has so clearly revealed to us; but the utmost change that we can dream of regarding desirable, our critics will see as we see, leaves the important features of the Constitution unim-

paired and even untouched. Every essential of republican government—full local control over local concerns—a strong judiciary—the office, duties and responsibilities of the chief executive—the powers of two legislative branches, clearly defined and carefully balanced—universal liberty under order—all are well considered and admirably guarded in the instrument as we now have it, and on these fundamental points it is difficult to see where improvement is possible. The improvements for which we have found room, are only in the modes of setting this superb machinery to work, and the play that should be given to it in certain of its parts. And we rest unhesitatingly in the conviction—a conviction which will be shared, we believe, by all who give the subject fair examination—that the changes in detail which we have suggested would, by relieving much of the friction and awkward working of our governmental machine, only bring out more strongly the excellence of the contrivance and reflect additional credit on its contrivers, the patriotic, sagacious and broad-minded council of 1787.

CAN THE CATHOLIC CHURCH BE NATIONALIZED?

BY W. R. CLAXTON.

WHAT constitutes the proper relation between the church and the state is a question that has been asked and answered, with reason and without reason, ever since that relation commenced. Within a very recent period the subject has become an especial favorite in secular magazines and newspapers all over the United States.

While an inquiry as to the cause of this newly-awakened interest, here and now, would no doubt be very interesting, it is unnecessary in connection with the object of this paper, whose single purpose is to consider the question that forms its title.

In order to a clear understanding of the matter to be considered, it seems impossible to take for granted certain principles which to the Catholic mind are so self-evident as to seem almost commonplace. These principles constitute the foundation of the Catholic conception of the essential characters of the church and the state. Prescinding from the other marks of the church, which for the moment may be left out of view, it is necessary to direct the attention to one only, and that is the church's catholicity.

The one greatest and most conspicuous fact about the church, the fact that strikes with equal force both friend and foe, is the church's universality. To the Catholic the explanation of this amazing fact is plain, for he knows that the Divine Founder of the church constituted it for all men of every race and nation and age and clime. It has no limit, and can have no limit that does not limit this globe. There is no man, there never has been a man since the Day of Pentecost, and there never will be a man so long as the world shall last, whose allegiance the Catholic Roman Church does not claim as a right.

With such an aim, and with such an all-embracing purpose was the church established, and to them it must always appeal for the reason of its being. If the church could be less than universal, it would, thereby, cease to have any being. As a consequence of this fact, and as its explanation, there follow certain doctrines and principles both in the domain of philosophy and in the domain of theology. These doctrines and principles have been slowly, but surely, and as occasion required, developed and formulated by Catholic philosophers and theologians, and the one upon which they all rest is, that man, as to his super-animal nature, is a being endowed with a rational intellect, and a free will. By his intellect he apprehends the true; by his will he chooses the good. The true and the good are, therefore, the proper terms of his activity, by virtue of his essence. Hence the objectively true and good are, or should be, for man, *i. e.* every man, subjectively alike true and good.

When in the fullness of time Jesus Christ instituted and founded His temporal kingdom, the Catholic Church, He intended that it should be the spiritual home of all persons that should be born into the world, and for this reason the doctrines promulgated by the church, as of faith, from the Council of Nice, A. D. 325, to the Vatican Council, have been addressed to all men, everywhere, without regard to their race or nationality, because these doctrines are addressed to man by reason of his possessing a rational intellect and a free will.

The above is a short *résumé* of the Catholic position as to the church and its relation to man, or, what comes to the same thing, the relation of man to God.

And now a word about man in his relation to his fellow-man, or what is called the state.

From the moment that there were two families of men upon the earth the state existed. the state is, then, a combination of families having the same general aim, and dwelling together. The state, as to its unit, is the family, not the individual man. Such was the teaching of all publicists, Christian and pagan, until Rousseau pointed the way to the French Revolution and its political consequences, in the *contrat social.*

According to this doctrine man owes a twofold allegiance; one to God, the other to man. That is the church and the state. Hence it follows that the church addresses itself to man's innermost nature, the state to man's external conduct. A man, considered simply as a Christian, knows nothing of the state because, as a Christian, he is exclusively bound to the church as the mouthpiece of God, and that without the state entering into his conceptions. On the other hand, considered as a citizen, or subject, of a state, he is bound to so govern his external actions as not to infringe upon the rights of his fellows in the civil community, which rights are protected by the strong arm of law. The church addresses man in his innermost nature, that is it addresses itself to the motives of his actions. The state addresses itself simply to his external conduct. Upon this palpable distinction rests the twofold duty of man in this world. With the foregoing principles as a guide, it is now possible to answer the question, Can the Catholic Church be nationalized? The slightest reflection shows that the answer must be in the negative. As well might one ask, can a man walk on air?

As man has a body which is a solid material substance, so must he have a solid material substance to support that body. *Mutatis mutandis*, the same answer must be made to any inquiry as to the possibility of the church being nationalized. The church deals only with man's will and affections, the state deals only with man's external conduct.

But it is said that there are certain subjects which affect man simultaneously both as a spiritual being, and as a citizen of the state, the most conspicuous, of course, being education.

Here, undoubtedly, there is on the surface a fair ground for conflict between the church and the state. But this difficulty vanishes by applying it to the principles laid down above. The family must have existed before the state. Therefore, the moral obligations incident to the family relation are superior to the artificial obligations that have arisen with the creation of the state. Now as the head of the family is the father, he is responsible for the well-being of the family, and, as the moral well-being of its members is of vastly more importance than

their material prosperity, the father is bound to see to it that his children are brought up in the atmosphere of the truth. But it is only through instruction, and its complement, education, that truth is conveyed from one person to another. Again, education—taking the word as inclusive of instruction—necessarily deals with truth even in the moral order, the moment that it oversteps the boundary of the most elementary knowledge.

The very alphabet of history and of politics, in the proper sense of that much-abused word, is big with problems of fundamental morals.

How can the history of any country in Europe be taught without including the church? Or, how can the history of the United States be taught without referring to the inherent, which means the God-given, dignity of man?

Thus history is a branch of learning which is essentially connected with morals. And, this being so, how can any one that professed his belief in the Catholic Church be expected to admit that education should be secular?

It may well be that the non-Catholic who calls himself a Christian is ready to accord to the state the right to educate his children, because, with the non-Catholic, religion is largely a matter of either speculation or emotion. For the former, there is no such thing as absolute truth, and for the latter a vague sentimentalism is apt to be a substitute for charity.

Logically, both these types of men may be content to have their children taught anything that does not shock the public conception of morality.

For the Catholic the case is quite different. The Catholic, if he will not pronounce his own excommunication, must believe that truth is not relative, but absolute, and that the final judge of the question, what is truth, is the Catholic Church, which is for such purpose, the pope. Although there is no Catholic who can gainsay the statement just made, it does not follow that Catholics either underrate the importance of knowledge, both secular and spiritual, or that they deny to the state the right to even require a certain measure of secular knowledge as a precondition to the exercise of civil power.

Who, that knows the history of the establishment of the universities of Europe, will dare to reproach the church with a disregard for knowledge? Who were the founders of Oxford and Cambridge? And what would the world of to-day know about Greece and Rome if it were not for the patient, painstaking monks in a day when, except themselves, the men of Europe were engaged in fighting and pillage?

Nothing but ignorance as crass as the malice is profound will deny to the faithful sons of the church, in the ages when to obtain knowledge was a grievous hardship, the honor of having made the knowledge of to-day possible. It is one thing to neglect, or be inimical to learning, it is quite another to hold that learning shall be consistent with truth.

If the state be accorded the education of youth, it thereby becomes its instructor in morals. On this ground, if on no other, the Catholic is compelled to resist secular education. The church is the God-appointed means to enlighten men's minds, and the state is the God-appointed means to enable families to live at peace with each other. In effecting this, the state makes it possible for men to till the soil, to develop the resources of the land, to mutually aid each other in making prosperity and gladness to be where, if men lived apart from any bond of union between themselves, there would be only strife and bloodshed.

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As the state is the creation of God and not the chance result of a group of men agreeing to create civil government, the duty is laid upon the Catholic not only to fear God, but to honor the king. Hence it follows that since the foundation of the church to this very day, the best Catholic has ever been the best citizen.

One of the most striking examples of the intense loyalty of the good Catholic to his government was given to the world in the French-German War of 1870. The war in its incipiency, and in its proximate cause, was the affair of France and Prussia. A Catholic nation and a Protestant. The people of the southern German states were largely Catholic, and it was suggested when war was declared that the Catholic states of Germany would not engage in a conflict with Catholic France. But what happened? Not only did Prussia find it unnecessary

to dragoon southern Germany into joining her ranks, but, with spontaneous patriotism, these German Catholics rallied to the cause of the common Fatherland with the result that all the world knows.

Because, and only because every Catholic who is worthy of the title, knows how clearly defined are the limits of the state, he must be the best possible subject, or citizen.

The duty to the church, as has been said, results from man's nature as man, and therefore it binds, and binds alike, every man on the face of the earth. The duty to the state arises only from the place of one's nativity, or of his choice. The church, like the sun, shines on all equally, and is only limited by humanity's limit. The state, as being a certain territory, is limited by its boundaries.

It is said that in a republic "education must be universal." Well! So be it. But to say that "education must be universal" is one thing; to say that education (and instruction) must be given by the state, is another, and very different thing.

A little reflection upon the possible consequences of granting education to the state must, surely, suffice to show that in essence, if not *per accidens*, this concession is unreasonable, and therefore immoral.

In a republic, at least by hypothesis, the majority rules. If the republican state can control education, that means that the majority of its citizens can control the courses of instruction in the schools, can require the use of such books as it chooses, and, in a word, can exercise unlimited sway over the pupils.

Supposing that the majority of citizens, or those that exercise the rights of the majority, should become decidedly anti-theistic in their opinions, if the state, *i. e.*, these very men, has the right to control the education of the youth of the country, it has the right to teach its anti-theistic doctrines.

It will not do to answer that the state cannot teach religion, or its negation, for in a republican form of government it is the majority of citizens who constitute the state, and history shows that written Constitutions can be easily amended, when a large majority of citizens desire amendments to those documents.

Again, it may be answered that the majority of the citizens of the United States are Christians in some sense of that word, and that, therefore, there is no danger of the public schools teaching anything subversive of Christianity.

This answer is worth nothing more than the objection just considered, and for the same reason, viz., that while it may be true, to-day, that the majority of Americans are favorably disposed toward Christianity, to-morrow they may be opposed to it. Surely the subject is too serious to permit it to be dependent upon majorities. In a monarchy, the king may have power to require his people to obey laws that they disapprove, and, therefore, may compel them to conform their actions to a line that is the expression of his will, so that a virtuous and wise ruler may govern, with wisdom, people who are prone to be foolish or wrong-headed. In a republic, on the other hand, the wisdom of the laws is simply commensurate with the average wisdom of its inhabitants, and, unless these inhabitants desire what is virtuous and wise, there is no power to prevent them from enacting laws that are the expression of what is harmful to the state.

In view of the foregoing considerations, it seems difficult to grasp any meaning in the phrase "nationalize the church"; for it has been shown that, as the church has one mission, the state has another; and that, although each acts upon man as its proper subject, the end that properly belongs to the church is so different from that of the state, that where each one keeps to its rightful sphere of action there can be no collision.

But for all this there is such a thing as a national church, as, for example, in England. Could the Catholic Church exist *anywhere*, as the English church does within the possessions of Great Britain? Before the Reformation the church in England, like the church wherever else it existed, was governed immediately by its bishops and priests, mediately by the pope from whom the pastors received their mission. This had been the case from the time that Augustine came from Rome empowered by the Holy Father to convert the people and establish there the church of God. Bede and the other early chroniclers tell us of the ap-

peals to Rome for one cause and another, and the appointment by Rome of one after another of the Archbishops of Canterbury, who were the Primates of the church in England. The modern historians of England likewise tell us of the very significant fact in connection with the relation of the church to the state, that, as between the two powers where there arose a difference, by common consent, as well as by canon law, the church was supreme.

When Luther first made himself heard in opposition to Rome, among the most, if not *the* most, conspicuous champions of the Holy See was Henry VIII., who was honored by Rome with the title Defender of the Faith.

Such was the church in England down to the Reformation, and such was the state. When Henry failed to obtain from Rome his divorce from Catherine, he changed the status of the church from the guardian and teacher of the state to the condition of a department of the state. He created what up to then had never been—a national church.

Since then, what before the Reformation was conferred upon the church by the Holy See, is now granted by the crown. Such a subjection of the church to the state is condemned by every Catholic authority treating the question, and it is expressly reprobated by Pius IX. in the syllabus. Hence in this sense, the nationalization of the church, anywhere, is impossible.

In the face of these facts, how is it conceivable that the church can ever give up one tittle of its high prerogative, and become, in any sense, subject to the state?

The powers of the church were given it by God Almighty, and can no more be renounced than can truth itself. Much is said about the liberalizing tendencies of certain acts of the present reigning pontiff, and notably in connection with the instructions given by His Holiness to the French bishops with respect to their attitude toward the existing government in France. From this it is inferred that His Holiness is in favor of republicanism to such an extent that he desires the French bishops to endeavor to convert their flocks to that form of government.

It is not hazarding much to predict that, if any considerable body of Russian Catholics—but not enough to effect a change in the form of government—should strive to interfere with the execution of the Czar's will, His Holiness would command the bishops to use their influence to induce their flocks to obey the existing government.

If such a contingency arose, the probabilities are that the very men who are now the loudest in singing praises to the pope for his liberalism, would, at once, denounce him for his inconsistency. And yet His Holiness' action in France, and his supposed action in Russia would be entirely consistent. In both cases Rome would simply be asserting her supremacy over the conscience of man, and counseling him that the powers that be are ordained of God.

The term Christianity, as used by Catholics, has a clearly defined meaning, and in the definition is included the proposition that the church is the sole teacher of religion. Now, as religion enters into, and is the most important part of knowledge, Catholics are bound to see to it that in acquiring other subjects of learning, their children shall be instructed in Christianity also. Another doctrine embraced by the Catholic definition of Christianity, and one that is therefore essential, is that, when there occurs a difference between the church and the state touching any matter involving either faith or morals, by ordinance of God himself, the church has the right to finally determine the question in dispute.

It is upon this ground that the church, *i. e.*, the pope, has used the power of excommunication at various times since the church has been able to express itself freely. And, conversely, it is in virtue of this right of controlling men's actions that the pope has, as in the case of France just noticed, commanded Catholics to obey the laws of a government that they even hate or despise, when obedience thereto would, in the judgement of the Holy See, work harm to the cause of religion.

How, then, in view of the uniform claims of the church which have been briefly touched upon here, can the Catholic Church be nationalized? It is, manifestly, impossible, seeing that to

nationalize the church involves bringing it into subjection to the state. True as this is, it is just as true that no state can be secure of its future that does not do whatever lies in its power to protect the rights of the church, for the church teaches not only obedience to God in things spiritual, but just as earnestly, obedience to the powers that be, in things temporal.

On the other hand, the people that would enjoy the rights inherent in their manhood, should love and obey the church, for the church has never feared to assert the rights of man against tyrannical states.

The church and the state were alike instituted for the good of humanity, and both are necessary to the complete fulfillment of man's destiny.

One thing, however, must never be lost to sight, and that is that, as the church addresses itself to man as being in this world to prepare himself for eternity, it must have in man's affections and loyalty, a higher place than the state, whose highest mission is to further man's temporal prosperity. To say, then, that the church cannot be nationalized, is not to say that the church cannot be in complete harmony with the American state, for never since the United States have existed, has the church taught anything to its adherents that could fail to make them worthy and loyal citizens of the republic.

The mission of the church is to man as destined to eternity; the mission of the state is to man as an inhabitant of a certain portion of the earth. Where, therefore, each of these God-appointed powers confines itself to its proper sphere, there can never be discord between them.

W. R. CLAXTON.

THE SOCIAL EVIL AND ITS REMEDY.

BY EDWIN O. BUXTON, PH.D.

IT IS not pleasant to contemplate any form of sin and its sad havoc upon the human race. Certain well-bred but sensitive people consider it offensive to good taste to broach the subject of the evils of the day before a public audience. But we must not selfishly seek mental rest and spiritual ease by drawing a veil over iniquity and ceasing to think of the awful depravity of the submerged part of humanity. To plan wisely and labor earnestly for the redemption of the vicious and fallen is a work of most urgent necessity. Whenever the study of vice is prosecuted with a passionate love for humanity and a sincere desire to remedy the evils found, we have no fear that the soul of the anxious inquirer will be contaminated with the foulness of his subject. The sociologist investigates with the same spirit as does the physician in determining the symptoms of a loathsome disease and the specific to be applied.

IMPORTANCE OF THE SUBJECT.

The social evil is treated by the general public with an indulgence not usually accorded to other forms of sin. It is viewed with no alarm because its results are not immediately obvious and tangible. Theft, drunkenness, murder shock the sensibilities in a violent manner by their demonstrative character. Sins committed in the name of pleasure, with an accompaniment of music and wine, and under the shadow of night where the trail of the serpent can easily be covered, attract little attention to their awful character and fearful results. It is the black plague of modern civilization. Yet it flourishes in all our great cities unmolested, and is permitted to grow as luxuriant as the passion of man may require.

Our subject merits the most serious consideration because of

the deplorable effect upon the individual. Thousands of young men and women are borne to untimely graves and to eternal death by this evil. No form of sin writes its language so quickly and indelibly as sensuality. At first, indulgence seems to be carried on with impunity, but ruin is swift and irretrievable. Unlike the sin of intemperance, lust stains every thought and act of life. Tears of penitence do not entirely wash away the marks of impurity. Though the beast may be slain, his tracks still remain.

The family is the integral part of the state. The Divine Word places it at the very beginning of the human race, and in records of the past it is traced to prehistoric times. Without the family there may be a horde but there can be no nation. The disintegration of the state begins with the home. It is, therefore, the duty of the nation, in preserving its own integrity, to conserve all interests of the family. It should encourage home-making. The social evil is a direct stab at the home life. It often dismembers the family and scatters the children into the world worse than orphans. It discourages home-making by seducing men and women to sensual indulgence which disqualifies the poor dupes for the holy estate of matrimony. The evil is one of the greatest perils to which our nation is exposed. The state has a right to repress anything which menaces its own existence. Men will fight and die for their homes; but not for a boarding-house.

The rendezvous of the sin of impurity is the house of ill-fame and house of assignation, where with every art of solicitation, and often with brazen publicity, the unholy traffic in virtue is conducted. Large sections in nearly all our great cities are given over to this vice. The loathsome and degrading French forms of the evil have lately been adopted. These houses, the moral ulcers of municipal life, are the objective points of attack.

METHODS OF TREATMENT.

1. The policy of tacit consent. We are told that this evil is as old as the race; that in all ages efforts have been put forth to check its ravages, but without success; that until men become virtuous, legal measures are futile. What cannot be cured

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must be endured. This argument may be highly entertaining, but is not conclusive. All that any evil desires is to be let alone. Age does not make a vice sacred. Because it has existed from antiquity is no reason for raising the flag of truce and ceasing hostilities. The failures of the past should lead us to study anew the nature of the evil, its causes, and find the true remedy.

2. The method of regulation. Houses of prostitution must be put under police surveillance and kept in orderly condition. "It has been found by experience," runs the argument, "that attempted repression scatters the inmates throughout the city, like firebrands which spread the conflagration instead of putting out the fire." We reply, there is nothing that evil dreads so much as light. To scatter is to turn on the light. When a large section of a city is given over to shame, the evil is secure. Good people stay away from the pest-ridden district, and the vice flourishes under a pall of moral darkness. We have no fear as to results if the evil be routed from its quarters. Every good citizen would be a strong ally of the police force to stamp out the evil. It is the down town house, and not the one next door, that the mother fears on account of her boy.

It is said that these houses are necessary for the protection of virtue. Did they not exist, no woman would be safe from violence upon the streets, or even secure in her own home. What a sad comment upon our boasted Christian civilization! "Lust will have its way, and we must provide for its gratification." This is the argument so frequently heard from the police force. O ye fools, do you not know that passion indulged is passion increased? Every one of those houses is a menace to the virtue of a true woman. Increase their number to large proportions and no woman in the land would be safe from violence. The weekly record of assaults upon defenseless women and little girls causes a blush of shame to mantle the face of every true citizen. Where lies the remedy? Must we bestir ourselves to increase the houses of ill-fame? What sort of a monster is man, if thousands of our daughters must be sacrificed to appease his lust, in order that the rest of womankind may be

saved from the ravisher's hand? If this argument be sound, Sodom must have been an ideal city for the security of virtue from violent men. Sacred Writ does not so represent it.

We object to this method of treatment. It affords no check to the ravages of the evil. The pest district is usually found in the heart of a city, where all the currents of moral life are easily corrupted. It suffers temptation to be flaunted in the very face of young men in down-town boarding-houses. It is trying to regulate a plague without quarantine. All have liberty to pass over to the infected district who desire—and many desire. If the houses of ill-fame should double in the next twelve months, in any city, it is safe to say no serious check would be offered by the police force. The citizen praying for repression would be coolly informed that the city needs this increase for the protection of virtuous women!

3. The license system. This is claimed by some to be the most satisfactory solution of the vexed problem. Many houses of prostitution could be taxed out of existence and the rest should bear part of the financial burden they entail upon the city. We shrink with horror from the thought of turning our shame into a commercial transaction, and selling the virtue of our daughters for money. But the nation whose policy is to license the saloon, is logically driven to this course. There are people whose moral obliquity is so great that they can see no harm in reaping a money consideration from iniquity. If the false education which now prevails on platform and in the press, concerning the utility of license, continues, we will not be surprised to see the same method applied to all popular evils. It gives us pain to predict that license will be the *régime* inaugurated by many of our cities for the social evil. The raids with a fine imposed are, practically, a license to go on with impunity for a year or more. We cannot too strongly condemn this policy. It is hush money to conscience; it appeals to the cupidity of the taxpayer; it does not lessen the evil, but securely intrenches it.

4. The method of suppression. This is the only certain remedy. Yet the history of our cities shows nothing but signal failure. The efforts for repression are spasmodic and devoid

of system. Officials are seldom in sympathy with enforcement of law, and when moral pressure from the public compels them to act, unreasonable harshness in dealing with the inmates of the bad houses often produces a reaction in favor of the unfortunate victims. A crusade upon the evil is followed by lethargy and increased lawlessness. The good accomplished is but temporary and of doubtful value. Why? Before answering this question it is necessary to look upon a wide field for research, where we can mention but briefly a few very important facts.

CAUSES OF THE SOCIAL EVIL.

1. Violation of the hygienic laws. Depletion of vitality, impairment of health, and loss of nervous force, are both cause and consequent of the sin of impurity. This is not at once apparent to the student of social science. It is presumed that a superabundance of vital force, an exuberance of animal spirits, and perfect bodily health, all operate as strong incentives to the indulgence of passion. But heaven never intended a good and desirable gift to become a snare to the soul. The nearer humanity approaches the ideal standard of physical perfection, the farther removed is it from depraved appetite and passion. It is the man with impaired health who is least fortified against those evils which most swiftly destroy the body. Hence bad sanitary arrangements, food poor in quality and insufficient in quantity, long hours of labor, close confinement in shop or store, poor ventilation, and a multitude of other causes, undermine health and make the victim of untoward circumstances an easy prey to the prevailing evils of city life. The tenement house of New York, which is being copied by other cities, is, by its very construction a breeder of the social evil. Many hundred buildings are constructed on the same plan providing for four families to each story, or twenty families to a block. One room about fifteen feet square serves as parlor, living room, and kitchen. Another much smaller answers for sleeping apartment. Rules of common decency cannot be observed with such an arrangement. A reform of the evil of impurity must not ignore the causes which affect in a special manner the physical nature of man.

2. Artificial and stimulated life. The social evil is a city plague. Urban life is vastly different from rural life, not only for reasons already given but for others still more cogent. City life is highly excitable; the nervous system is tense; the strain upon body and mind enormous; the hours of rest come late in the night, often after a delirium of pleasure or a banquet of highly seasoned foods with large quantities of stimulants. The body is goaded on during the day with alcohol and nicotine; at night intoxication of amusements must follow, and alas, too often lust. It is the minority that adheres to the simplicity of the country home. With the majority of urban population life is a round of various forms of dissipation. The family circle at the humble fireside no longer possesses any attraction. "The Cotter's Saturday Night" is an idyllic picture of olden times. Now at 7 o'clock p. m. the home empties itself. The stifling dance house, the crowded theater, the sensuous opera, the beer-garden, saloon, and bawdy house receive the inmates. Two articles of commerce are found in or near all these places—liquor and lust. When passion is inflamed by the former and the judgment dethroned, modesty is stabbed and virtue destroyed. The zealous reformer along any humanitarian line, as poverty, vice or crime, sooner or later runs against a saloon. Any scheme, which proposes to cure mankind of the sin of impurity and at the same time leave the saloon intact, is a wild chimera unworthy of serious consideration.

3. Impure literature. On the second day of March, 1872, systematic work for the suppression of obscene books and pictures was commenced in New York City, by an humble country boy without money and without friends. For nearly forty years the diabolical work of poisoning the minds of the youth had been going on without even a feeble protest in the courts of justice. The mails of the United States were freely used to disseminate corrupt literature and articles for immoral purposes. The work of Anthony Comstock begun in that year met with bitter hostility. He was called a "busy-body," and "a meddler in other people's business." His motives were impugned. Shameful libels were published against him by ex-

convicts, freethinkers, and free-lovers. His life was attempted. But good people responded to his appeals for aid, and in sixteen years 742 convictions were secured and penalties aggregating 265 years imprisonment, and $35,000 fines had been imposed. Forty-nine tons of books, plates, etc., were seized. But in many cities no organization has been effected and the vilest poison is sold to whomsoever will buy. It is, we grant, exceedingly difficult to draw the line between the pure and impure in literature. We by no means favor an official censorship of the press. Yet we are confident public opinion would sustain an action for the suppression of that literature whose manifest and sole purpose is to inflame the passions of the youth.

4. Obscene pictures. In thousands of places in all our large cities, displayed in shop-windows and saloons, may be seen illustrations of vile character. At all hours of day and evening groups of men and boys are found eagerly feasting their eyes upon this savory dish of wickedness. The devotees of sin are pictured in the most attractive form, attire, and posture, to inflame the passions of men. Great multitudes are daily receiving an education in lust and having enkindled fires which shall consume the soul. The display of theatrical bill-boards is no less an evil. The illustrations are nearly of life size, and with the addition of flesh tone make the appeal to the baser nature still stronger. The advertising is so public that he, who would escape the debauch of imagination, cannot. If the picture of the stage is such, what must the reality be upon which young men and women gaze, without blushing! Remove all obscenity in language and action from the stage, put actors in clothing suitable to a family parlor, the theater could not live a year. Exposure of the body in immodest attire; suggestions of the vile in language, look, and act; gross familiarity of the sexes upon the stage; these are the chief attractions of the modern theater. In other words, people spend money for the very purpose of inflaming passion! Is it to be wondered that the sequence is often unbridled lust? I am aware that this description needs modification. There are plays of a high moral and intellectual order, but they are seldom a financial success.

Playwriters have made the humiliating confession that something of the vulgar must be inserted to cater to a vitiated taste, otherwise the play is pronounced flat, insipid, and will prove a failure. So long as shop-windows, bill-boards, and the stage continue to educate the beastly part of human nature, the house of ill-fame will be an essential feature of modern civilization. Inflammable material cannot be thrown upon a fire without flames appearing in some quarter.

REASONS FOR FAILURE.

Why has the oft attempted effort of suppression signally failed, or at best been a temporary check followed by a deluge of sin? Reformers have too often overlooked the fact that evils are correlated. Each is a tributary cause to all others. The house of shame while a mighty cause for the increase of lust, is at the same time a legitimate product of our municipal life. The feeders of impurity are found in the kindred evils we have attempted to describe. To select out one in a multitude of evils which give mutual support and comfort to each other, and direct all moral forces in a mighty crusade for its utter suppression, is supreme folly. Such is the usual method in dealing with disreputable houses. We are entirely too narrow in our lines of procedure. We permit our boys to be debauched by lewd pictures everywhere, by the boys' theater, by vile songs in the saloon, by obscene books, sold with impunity and read at the midnight hour,—and then, when passion is developed into a frightful monster, we suppose the whole work of social purity is accomplished by seeking to prevent the final overt act of sin. The warfare against vice must extend its line of attack to all pernicious influences which affect purity of life and conduct. Closing up houses of ill-fame and driving the inmates into the street is totally inadequate as a remedy. To seek to enforce purity by such legal measures alone, is like damming a stream while permitting the fountains to flow. Enforcement of law must be insisted upon; laws inoperative must give place to better legislation; but it is wisdom to give far more attention to causes than has been done heretofore.

LINES OF PROCEDURE.

These are three; and may be represented by the church, the ballot-box and the school-house. There must be a society for the suppression of vice, proper machinery and officers for the enforcement of law; and true education for the children. The first is obtained by the coöperation of all citizens who love virtue and good government; the second, by electing men to municipal office who practice morality and will earnestly seek enforcement of law; the third, by common sense education in our public schools. We wish briefly to treat each of these lines of thought.

1. Organized virtue. Excessive individualism prevails among good people. They hold themselves aloof from united action. Here lies the weakness in dealing with this giant evil. Moral forces are unorganized, hence inoperative. The churches, of the same denomination even, are isolated centers of activity, and concerted action is impossible. It is a deplorable fact that evil is more effectively organized than the influences which make for righteousness. Some years ago when people were aroused to a spasmodic effort for the suppression of vice in a certain city, a detective explored a long street given over to shame. At the moment of his appearance three sharp raps were given on a window pane. These were repeated at the next house and so on to the end of the street. In a few moments lights were out and the stillness of death prevailed. It must be understood that evil is a well organized fraternity with its signs, grips, and passwords which are perfectly understood, and is abundantly able to thwart all individual effort. Organized virtue alone can stamp it out. There is need of a powerful national organization for the suppression of vice, with branches in every city and town, which will enlist the sympathy and active coöperation of all good people who love the purity of home and society. Until the scattered fragments are brought together into organic relation, we may expect the cause of good morals will suffer more disastrous defeat than it has experienced in the past. "What is everybody's business is nobody's business." Few men are willing to incur the expense, odium, and danger of prosecution

merely for the public weal. The collective wisdom of such a society will become common property. There would be one bureau of information; one center of publication of literature which would throw a flood of light upon the moral condition of cities and give valuable suggestions as to the best methods of procedure. Our hearts grow faint at the thought of single-handed effort against a monstrous evil, but in numbers there is strength, inspiration and assurance of success.

2. Municipal government. Observation has taught us that war upon the social evil, without active coöperation of the police force and cordial support from the several departments of municipal government, results in defeat and humiliation in the presence of our enemies. Officials, who are bad at heart and willing to wink at flagrant wrongs for a money consideration or for votes, can find abundant opportunity to thwart the best directed effort to check a bold and insolent form of evil. Justice frequently miscarries because men, whose sworn duty is to enforce the law, care nothing for virtue or the good of society. Elect men who are not afflicted with moral paralysis. Party chains should not only hang loose but be entirely severed in municipal elections. The sole question should be, what men will best conserve the interests of society and the home. Party bondage has been the curse of our cities. The shameful misrule, open connivance with sin, and dominance of the slum element must very largely be charged against the moral account of the upright, pious citizen who blindly votes his party ticket irrespective of the character of the men whose names it bears. Unclean men will never give us a clean government. With a powerful vigilant committee and city officials in active sympathy with all wise efforts for the mitigation of evil, we may look for good results.

2. True education. It is a far more sensible way to counteract causes than provide remedies for malignant diseases. Evil is abnormal. Mental, moral, and physical deficiencies may be supplemented; inherited tendencies to evil overcome, by proper education. Intellectual training of our youth is insufficient. Hygienic instruction and physical culture should receive equal

attention. Practical morality unembarrassed by theological questions should receive great emphasis in the schoolroom. Forewarned is forearmed. Virtue can be presented in all its attractive beauty and vice in its hideous deformity with perfect safety. Teach that there is no sex in sin; that a vile act is just as much a crime in a boy as in a girl. School is the place to make character. It is possible by true education to give character such temper and polish that the filth of the street will not adhere to it. Health of body and soul are strongest safeguards against "the pestilence that walketh in darkness and the destruction that wasteth at noonday." The lamentable fact is that the school, the home, and the church, do not seriously undertake such a work. In the school it is all intellect at the expense of the body, and to the neglect of morals; in the home it is often shameful indifference, permitting the child to grow up in gross ignorance of its own powers and the terrible consequences which follow violation of the laws of purity; in the church it is ecclesiasticism, theology, descriptive geography, manners and customs of bygone ages, instead of the one thing needful, *i. e.*, such a moral and spiritual training as will prepare the child to overcome temptation. Let us have common sense education.

While advocating relentless hostility to the evil, we do insist upon more intelligent treatment of the causes and better means of prevention. Check the foul stream, but guard also its sources.

OBJECTIONS ANSWERED.

1. More charity and less law is the demand of the age. "The prostitute is a poor unfortunate, a victim of untoward circumstances, more sinned against than sinning. To treat her as a common offender and punish according to the rigors of the law is unduly harsh and public sentiment will not approve." Nearly every culprit is more or less a victim of bad environment, yet to apply a mawkish sentimentality in his behalf would overthrow all justice. The abandoned, lewd woman does more than destroy life, she murders character. If she refuses to reform, when opportunity is given, she should bear the penalty in its severity. Many of those who have strayed from virtue's

path could be saved and returned to their homes, others could be shielded from temptation in houses of refuge until honest employment is secured.

2. People cannot be made virtuous by law. "Whenever Christian people advocate legal restraints it is a confession that the Gospel is inadequate to the salvation of the world, and it is seeking to reform men by law. You never can legislate virtue into the human heart." Whenever demand is made for the enforcement of law against popular evils, this cry is raised. We suspect its sincerity. Why is not the same criticism offered when thieves are incarcerated and murderers hanged? Simply because these crimes are not so popular as lust and liquor. No sane man for a moment thinks that people can be made virtuous by law. Enforcement of law simply provides the conditions for virtue. Government should make it easy to do right and hard to do wrong. We have faith in human nature, sinful though it be. Give the people a chance to be virtuous and they will be virtuous.

EDWIN O. BUXTON.

THE FREE COINAGE OF SILVER.

BY HON. HENRY W. SEYMOUR.

THE currency question now agitating the public mind, in Congress and out, is generally styled one between monometallism and bimetallism. Is not the contest deeper than this? Is it not rather one between metal and paper? I do not mean to say that if the advocates of metal were successful, paper would not be used. Contrarily, I think it would be in the form of certificates for coin or bullion, or both in reserve. In this case it would be used simply for the convenience of circulation, the full value in coin or bullion being behind it. It would then bear the same relation to the metal as the check does to the deposit. The one would be as thoroughly secured to the holder as the other. In the one case the government holds the deposit; in the other the banking corporation would have it; but in both cases the equivalent of value would be behind each. Metal and certificates being then thus allied for security and convenience, the real contention arises between metal and paper. By paper I mean bank notes based on governmental and municipal indebtedness.

In the ante-war period the bank notes of New York were based on United States bonds, New York State bonds, and farm mortgages. This system worked well, and in case of failure of a bank the notes were redeemed. The national bank notes are redeemed under our national banking law. The greenbacks, amounting to $346,000,000, carry the promise of the national government with one hundred millions of gold as a reserve. The national bank notes carry the same national promise by the security of the United States bonds with the required reserve under the law in the vaults of the national banks. What, then, is the difference of security between the bank note and the

greenback? The first is based upon the time promise of the government with the lawful reserve in the vaults of the bank. Stockholder liability is a safeguard, but the basis is the bond. The second is based upon the demand promise of the government with a little more than twenty-five per cent of coin reserve in the treasury vaults, which has generally been interpreted as held for the security of the greenback.

Under our present system three kinds of paper currency are issued: greenbacks, national bank notes, and treasury notes (or certificates). The increase of greenback issue has ceased. The national bank notes are insufficient alone, since United States bonds are decreasing through payment. There seems to be no attempt to fund or pay off the greenback. Hence the three kinds of currency remain. And yet there is unrest in financial circles. The issue is developing between metal and paper. Those who would favor paper, and the issue of bank notes on securities, have not yet fully shown their purpose. The attempt has been indicated in one direction by the resolution in one of the national political platforms to remove the ten per cent tax on state bank issues. Would not a return to state bank issues be an ignoring of the wisdom of past experience, and a step backward in our march of civilization? Can we expect to have other than a national currency, one that is good and at par everywhere? It is unlikely the American people will consent to take this backward step.

The attempt has been made in another direction, by the demonetization or restriction of the use of silver, and here the contest centers. Stop the purchase and the coinage of silver—these are the watchwords. What, then, shall take its place? Bank notes, state or national, based upon indebtedness of some kind, is the direction for an increase of currency. The bank issue realizes by loans, interest on its circulation, and also profits by interest on bonds securing the same. On account of the premium on bonds, the interest received from this source is small. What the future would show with an increase of indebtedness for banking purposes, might be different, and it is this position, the paper contestants desire to reach. The limita-

tion in the law, "except when otherwise expressly stipulated in the contract," means something.

Continue the permissibility of the demonetization of silver and stop its purchase; redemption is then practically based upon gold, of which metal, it is conceded, there is an insufficiency for circulation and reserve. The increase of currency would then be largely in the direction of bank notes, based upon indebtedness, with a percentage of coin reserve. The profits of the currency in this way accrue to the banks. In financial convulsions under this system suspension often follows. It is an invariable rule in case of great wars. Even in financial flurries the government has often been obliged to aid the market by taking up its bonded indebtedness with gold. The reason is, the bank reserves are insufficient and gold is being hoarded through fear or for speculation. This will continue under the bank note system. During the life of our government the system in vogue has always been a source of failure, suspension, or panic. As we have departed from the money of the Constitution, we have threaded the paths of doubt to the quagmire of insecurity.

It is improbable, even with coin certificates based upon the full use of gold and silver, that we should have sufficient currency for the demands of business without the present bank notes. Certainly not, if the greenbacks were withdrawn, which, in railroad parlance, would be called floating indebtedness. It would seem that after one hundred years of financial experience some plan would have been devised and followed, which would more permanently meet all circumstances and emergencies. The reason is, we have separated our currency from a sufficient reserve or full equivalent of coin. The currency is for the benefit of the people, and why should not the people, as far as practicable, issue and control it? The most effective way government can do this is by the issue of certificates with coin or bullion behind them. The ratio or coin standard of the two metals has been fixed, with little governmental change, for one hundred years. In many nations silver has been demonetized, and yet in a large number it is almost the only metal in use as money.

Of late years our governmental policy has been the purchase of silver, until it has absorbed annually, excepting the portion used in the arts, the production of our mines. The purchase price has been largely below the coinage value. On this account it has come to be called dishonest money. Based upon a gold price, silver has fallen below the coinage value, which, the free coinage advocates say, is because it has been domonetized and governmentally discredited. The government buys silver at its gold value in the open market, and forces the citizen to take it at its coinage value in transactions where gold is not specified. It buys at a low price, it sells at a high price. The people individually say this is unjust. The great political parties demand that gold and silver shall be on a parity. The simple way this result can be reached is to pay as you buy, when demanded. This does not necessarily involve changing the standard. If after the word dollars, in coin certificates, could be added, *or, when presented in sums of one hundred dollars or multiples thereof in bullion at its market value*, the certificate then would be on a parity with gold coin. In national transactions the certificate would be used, and accepted on the coin standard. In international transactions the gold standard would be maintained by accepting the bullion value. The government would then be honest with the citizen, by giving value without changing the present standard. The coin would answer nationally, the bullion internationally. The stamp of itself has no value internationally, the test is weight and fineness. Two metals, both in reality merchandise, differing annually in their relative production, cannot be placed on a parity with a fixed standard. Governments exercising their own sovereignty, within their own limits, may make a fixed standard, while outside such limits the standard has no force. International agreements fixing a uniform standard would simplify and might practically settle the question, but until this is reached, bullion rated by weight and fineness is the best practical solution of the problem. The agreement of civilized nations would have much force in all the markets of the world, and wherever their trade extended would have great weight in fully settling the problem. That there is much difficulty in arranging an international stan-

dard is shown by the action of the Monetary Conference. Creditor nations are no more desirous of a bimetallic standard than creditors among nations. Recent English utterances confirm this. A currency based upon indebtedness, with a twenty-five per cent reserve of one metal, is more readily controlled by a corner, more panicky and more favorable to the lender, than one based upon two metals with a larger reserve, or still better with full metallic value behind it. If all paper currency were issued only upon a full metallic reserve, there would be no possibility of a money panic. There would be little, if any temporary transfers of metal in business convulsions similar to that occasioned by the Baring failure. If the Bank of England had possessed in her vaults a value of metal equal to her paper issue, she would not have been a borrower from France. If in wars no bills were issued unless upon a full metallic basis, there would be no suspension. Governments might borrow as now on time bonds, but the rate of interest would depend on the patriotism or confidence of the lenders. It would be a serious and exhaustive war, when with a currency sufficient in time of peace for commercial and public uses, based upon a full metallic reserve, the government would be obliged to issue fiat money to maintain its armies and protect its life. No human foresight can provide, thoroughly and under all circumstances, in its constitutional law or statutory provisions against all financial and political convulsions, aroused and fomented by the passions, cupidity, or ambitions of men; but the golden mean of conservative forethought and experience will represent the best thought and safest rule of human action.

The payee of a check expects demand payment made, relying on the deposit being sufficient at time of receipt. Why, then, should not the government be similarly situated with reference to its currency, and be able at all times to redeem it? Why is not that currency best which has an equivalent metallic reserve? Why should the currency, which is the substructure of all business and commercial transactions, be subject to suspension of payment, because unusual conditions of demand and financial convulsions find a fractional reserve of metal, unequal to

redemption, necessitating suspension? A coin certificate meets this, and all exceptional conditions, because it is an honest and true certificate, and fulfills its representation by having an equal amount of coin or bullion behind it.

For greater convenience of circulation, certificates are used. The public prefers them, knowing that the treasury holds the coin for redemption. In free coinage, the government receives the metal and returns the coin. It takes whatever metal comes, stamps and returns. It acts as trustee. The currency is for the benefit of the people; if there is any gain or loss, the people should make or bear it. Who can be more responsible than the government, for it is the aggregation of the people? Under the present banking system the government affords security to bill holders, because, if failure should occur in the payment of bonds, the security would be practically lost.

The government now permits the free coinage of gold, but purchases a certain amount of silver annually, paying in notes or certificates for the same. It pays a less amount than the coinage value. This is a surplus or profit. The government receives full value for the purchase price of the metal, but it coins at less value for circulation as money among citizens. Why should not the government deal equitably with the citizen, giving as much value as it receives?

So far as public dues are concerned, it now does, when taken in payment. The fear comes that the issue of certificates and the amount of greenbacks over the coin reserve will exceed by too large a sum the annual receipts of government. Hence it is proposed to stop the purchase of silver. To preserve the parity of metals, is it not wise that the government should pay or *sell, if you please*, silver as bought at its market value, limited as a minimum in redemption to the coined weight? Whenever the minimum of coin weight should be reached, gold and silver would be on a parity at the present standard, and coin in lieu of bullion would be paid. It has happened in our national history that gold has been below the value of silver by the accepted standard.

If metals were more largely used in the world, and less paper

based on indebtedness, or the metal reserve were greater, it is questionable whether there would be sufficient even of the two metals for the world's needs of circulation. If under the policy of the payment of bullion there accrued a loss or gain to the government, the fact would be rarely discovered, except from an examination of the treasury books, or a recount, as the amount of silver would never, probably, be reduced sufficiently low to indicate surplus or deficit, or to excite alarm. It would be unprecedented if any drain of sufficient magnitude should occur, which would approach near the gain or loss point. Under this system the people would pay for or profit by the purchase and sale of silver. The people receive the benefits of a stable currency, and should reap the gain or bear the burden in maintaining the same. The term market value could be defined by statute, a reasonable construction given, and proper method of determination fixed. If silver, under the operation of this plan, should appreciate to the present governmental standard, the silver dollar would be entirely used, as no smaller amount of metal would be paid, and practical free coinage would be reached. Is not this the direct and proper way to free coinage? When the parity of metals at the present standard should be reached, then free coinage could be adopted.

Would not all nations, if the United States should adopt this plan, be forced to acquiesce and accept, or suffer loss of trade with the silver nations, and even with the United States? Cannot the United States by its separate action ultimately force bimetallism throughout the world? The United States, with its coasts bordering on the two great oceans, with its territory gridironed with trunk line systems of railways, ultimately to be connected completely with the Central and South American States; with the Nicaragua or Panama Canal or both constructed; with a currency based on a parity of the two metals, and maintained favorable to all trading nations; with reciprocal treaties affording reasonable concessions to all, would reap the benefits of its location, facilities of intercourse, and a wise and beneficent policy of finance and trade.

HENRY W. SEYMOUR.

THE PROBLEM OF MUNICIPAL GOVERNMENT.

BY FREDERICK H. COOKE.

IT MAY be regarded as a strange proposition, that the solution of the problem of the government of our large American municipalities is closely interwoven with the solution of what is known as the "trust," or monopoly problem. Yet we shall endeavor to present considerations pointing to such a conclusion.

By way of preface, we venture to suggest that the general problem of municipal government is, after all, not so important or serious as current criticisms on methods of governing particular municipalities would seem to indicate. Probably the vast majority, even of the intelligent citizens of the city of New York, would be largely unconscious of anything wrong in their municipal government were it not for newspaper criticisms. In other words the personal, daily experience of the average citizen of the city furnishes little to remind him disagreeably of the existence of his municipal government. Perhaps it may be laid down as an axiom that the more extensive the *industrial* development of a given community, the less susceptible it is to injury from a bad *political* administration. Nevertheless we do not deny that there are certain evils meriting attention, which are ordinarily associated with the government of our large cities. Not that open, flagrant violations of existing laws are frequent; the evils come rather in the shape of abuses under the *forms* of existing law. Thus, laws authorizing municipal contracts for the execution of extensive undertakings, such as building streets, sewers, or waterworks, almost necessarily invest the municipal officers with a large discretion liable to abuse, without, however, any technical violation of existing laws. Unnecessary public works are undertaken, and necessary public works are carried on

with unnecessary expense, there being the opportunity, at least, for the municipal officers awarding the contract to share more or less openly in its benefits. For graphic illustrations as to how such opportunities are presented and utilized see an article entitled, "The Science of Municipal Corruption," by an anonymous writer, published in the February *Forum*. Here it is said with substantial truth: "If municipal governments had no profitable contracts to award, if school boards had no text-books to select, we should have no 'municipal problem.'"

But we do not undertake here to catalogue the evils in question; it is our purpose merely to point out the *general conditions* underlying the problems of municipal government, with the view of assisting toward the formation of general conceptions in the light of which the expediency of any particular proposition may be tested.

Many such propositions have been made, with a view to removing or diminishing the evils in question. Some of these propositions have been shown by the test of experience to be ineffectual or harmful; few have shown any considerable tendency to accomplish the main object, and, as to those few, it seems generally admitted that they are no more than alleviatives, not radical cures.

Generally speaking, those making such propositions have overlooked the impulses of human nature and the facts of human history. A careful consideration of such facts might have shown them that the radical remedy is not to be found in any change or set of changes in mere statutory law. Let us, then, specify some of the conditions that have been commonly so overlooked.

For instance, little attention has been paid until recently to the circumstances under which our great municipalities originated and have developed. Surely, he who would predict the future career of a given individual, can, other things being equal, do so far more accurately in the light of a knowledge of the past history of that individual. Equally true is it, that he who would predict the future career of a great municipality will be assisted by a knowledge of the past history of that municipality.

Most of the newer municipalities had their forms of government ready made for them by copying from others longer established. But leaving this element of imitation out of consideration, it is, generally speaking, true, that our large American municipalities originated, and for a long time pursued their career, under the severe stress of danger from hostile attack. For more than a hundred and fifty years after the commencement of our colonial history, the scattered settlements (many of which have now grown to be large municipalities) were exposed to almost perpetual danger of attack from the French and their Indian allies. The experiences of that long period had a powerful influence upon the *form* of our municipal governments, an influence that is, in a very large degree, present to-day. In other words, the conditions under which our municipal institutions originated and took their form were largely conditions of *militancy*, or *warfare*, while the conditions under which we now confront our municipal problems are conditions of *industrialism* or *peace*.

Mr. Herbert Spencer has laid great stress on the distinction between *militant* and *industrial* types of society, as furnishing an important key for the solution of social problems. We believe that the distinction made by Mr. Spencer is essentially a real one, though capable of reference to a more radical distinction, that is, one between a social state wherein *pain-producing* activities predominate, and a social state wherein *pleasure-producing* activities predominate. That is to say, there are two great classes of social activities: the one class consists of those activities by which one seeks his own pleasure through the medium of another's pain; the other class consists of those activities by which one seeks his own pleasure through the medium of another's *pleasure*. In a *militant* state activities of the first class predominate; for instance: the soldier in an enemy's country obtains food and shelter, not by purchase, but by violence. In an industrial state activities of the second class predominate; people habitually obtain food and shelter, not by violence, but by purchase.

We would not be understood as saying that the form of our municipal institutions is to be fully comprehended simply from a

knowledge of American history; of course, as every historical student understands, such form has been largely determined by corresponding European, particularly English, institutions. But this fact, rightly understood, only serves to reinforce our conclusion that the conditions under which our municipal governments originated and long developed, were largely conditions of *warfare*, and not conditions of *peace*.

Forms of government change slowly, and it is generally admitted that they do not, as a rule, change with sufficient rapidity to be in perfect harmony with surrounding conditions. Hence it is natural to expect that our municipal governments existing under industrial conditions will continue to bear marked traces of the *militant* conditions formerly at work.

Mr. Spencer has shown by an overwhelming array of evidence that whenever a government becomes strong and centralized for the purpose of adjustment to militant conditions, that is, for protection against the foreign foe, the governmental control does not confine itself to functions necessary for purely militant conditions, but almost inevitably extends to the regulation of purely industrial conditions. A striking illustration of this is furnished by the history of France prior to the Revolution. Incessant foreign wars had resulted in the existence of a very strong, and very much centralized government; and, as an accompaniment, had grown up a minute governmental regulation of trade and manufacture, such as now seems almost incredible. In the light of this general tendency, it is not surprising that we find our large American municipalities to-day carrying on a considerable amount of business that is purely industrial in its character. For instance: the city of New York carries on the business of supplying water to its more than a million and a half of inhabitants.

But it is just in the circumstance that American municipalities are carrying on these extensive industrial enterprises, that the whole matter of the problem of municipal corruption resides. And it is only by ignoring the plain facts of human nature, that the conclusion can be reached that while these municipalities carry on these enterprises, there can be anything like a radical solution of this problem.

But, if the muncipalities do not carry on these enterprises, who will? The inhabitants of a large city can not dispense with water works and sewers and paved streets, even if the cost of obtaining them under present conditions is largely increased by corruption in the city government. If these things are necessary, and if it is necessary that the city furnish them, and if they cannot be furnished by the city without great corruption in the government, why not accept the fact of municipal corruption as an inevitable one, at least, until human nature has undergone a radical alteration?

To a certain extent these arguments seem to us to be unanswerable. The time is not yet ripe for any adequate solution of the main problems of municipal government. The daily needs of our rapidly increasing muncipalities have temporarily outgrown the capacity of purely private industrial concerns to satisfy those needs. Hence, for the time being, we must utilize as well as we may, the machinery available, the long-established machinery of our municipal governments.

But the new and better machinery is rapidly in process of construction, and will be available at no distant day. Such machinery consists of the vast industrial combinations already so efficiently employed in manufacture, transportation, and sale. Such needs of the inhabitants of our large municipalities as those for water, sewerage, etc., require large combinations of capital for the securing of their complete satisfaction. It is questionable, for instance, whether it would be practicable at present to rely on purely private enterprise to perform such a labor as that of constructing and operating the plant necessary for furnishing water to the inhabitants of the city of New York. But if we may trust the signs of the times, we may, in the near future, find ourselves able to rely on private enterprise to produce such results.

A striking illustration of the character of what I may term the present transition stage of municipal problems, is seen in the recent agitation of the question, how to secure improved rapid transit for New York City. The undertaking of furnishing such rapid transit is a vast one, so vast that it is at least

doubtful whether it is now practicable to rely on purely private enterprise to furnish it. Yet the need is pressing, and the question arises whether it is expedient for the municipality itself to undertake the labor of constructing the necessary plant. It is generally understood that this method would involve a vast amount of "corruption," yet, notwithstanding this prospect, it is perhaps a fair question whether the need is not so exigent as to make it expedient that the municipality construct the plant, instead of awaiting the more or less distant coming of such a vast industrial combination willing and competent to perform the work.

All these special considerations point in our view to the one general consideration, that the time is not yet ripe for any satisfactory solution of the problems associated with the government of our large municipalities. Municipal corruption must continue to exist as long as it remains necessary for municipal governments to carry on purely industrial enterprises. And it will remain necessary for municipal governments to carry on purely industrial enterprises, until there have grown up purely industrial concerns large enough and extensive enough to carry on such industrial enterprises. And, generally speaking, it does not appear that there have as yet grown up industrial concerns large enough and extensive enough for that purpose.

In short, the ultimate solution of the problem of municipal government lies in the growth of large and numerous industrial concerns. Such industrial concerns have, indeed, come into existence here and there, under the form of what are generally labeled "trusts" and "monopolies." We cannot stop here to discuss the trust problem, but content ourselves with stating as our view that the present popular agitation against these large combinations is ill-founded. In the growth and extension of these and like combinations lies, as it seems to us, the solution not merely of the problem of municipal government, but of many other difficult social problems.

FREDERICK H. COOKE.

DISTINCTIVE FEATURES OF THE PROHIBITION PARTY.

BY REV. B. W. WILLIAMS.

IN A country like ours, where the people have a voice in the government, the existence of political parties would seem an absolute necessity. They serve a useful purpose as instruments for carrying out the convictions of their members and securing needed legislation. The trouble is, however, that party management too often falls into the hands of bad men, who use it for selfish and wicked purposes. In such cases, principles are lost sight of, parties become machines for the accomplishment of unworthy aims, and are fraught with danger to the public good.

The true patriot desires to see his country well governed, and cannot be indifferent to political parties. He must affiliate with that party whose candidates and measures, would, in his judgment, be most conducive to the welfare of society. To that end, he should carefully consider the principles of the various political parties, and the character of their standard bearers. During the last great quadrennial struggle for political supremacy, four different parties presented their claims upon the suffrages of the people. Each sought to recommend and enforce its claims by adducing the most weighty and convincing reasons it could offer.

Each individual citizen should study the political issues of the day and decide for himself; and he should then heartily, intelligently, and uniformly support the party of his choice. The writer hereof, as an humble member of the Prohibition party, would respectfully present a few of the reasons for supporting that organization with his vote and influence. On some points the Prohibition party agrees with other parties; these points need not here be discussed. There are other particulars in which we agree with some and differ from others. And there

are also some things concerning which we differ from all other parties, and in which our peculiarities, therefore, most strikingly appear.

The Prohibition party is a truly national party, founded on the general principles of good government and not upon sectional hatred. It does not array the North against the South, or the East against the West; but seeks to unite all good citizens in a party that shall give us a pure and good government. The continued existence of the two old parties depends upon keeping alive the sectional animosities engendered by the war. The Northern, or Republican, party and the Southern, or Democratic party, hate each other with bitter and relentless hatred. In their election speeches and campaign documents, they often go back to the days of slavery and secession, and denounce each other for the course pursued then. They are constantly tearing open afresh the festering wounds of that fratricidal conflict, and parading them before the public with hysterical shrieks and crocodile tears, hoping thereby to influence the action of voters. This attempt to perpetuate sectional bitterness is itself a hindrance to good government, and cannot be too strongly condemned. There should be no room for such a spirit in the true American heart. The problems of the present, in whose solution every patriotic citizen should be interested, are too great to leave any time for sectional strife. The Prohibition party recognizes the fact that the war ended long ago. It does not live on old memories, but deals with the living issues of to-day. It appeals to sober reason and judgment, rather than to passion and prejudice. It seeks to unite all the friends of good government in a movement to emancipate the American people from the rule of rum. It deplores the slowness of the rebound from the sectional bitterness of thirty years ago. It longs to see the day when old passions, grown to attenuated shadows of mere displeasure and petty exclusiveness, shall have disappeared forever.

The Prohibition party is characterized by social and political catholicity, and is free from hurtful class distinctions. It seeks to secure the highest good of all worthy citizens, instead of

espousing the cause of one class to the detriment of others. It does not array the farmer against the manufacturer, or the working-man against the employer. It is such distinctions as these that have shortened the lives and prevented the success of other reform parties in the past. Seeking the interests of a few, and appealing to the prejudices of many, they have generally been short-lived and unfruitful. The Anti-Masonic party survived only one election. The Know-Nothing party lived but a few years. The Greenback party flourished for a short time and perished. The Union Labor party endured for a season, and was merged into the People's party. All the class parties of the past, except the last named, which was but recently organized, have either gone out of existence or been reduced to such a feeble and worthless state as to present only broken images of former glory. Unlike these, the Prohibition party recognized the oneness of society and the interdependence of all classes. It is founded upon great moral and political truths, which are capable of generating popular enthusiasm. Instead of having the seeds of dissolution sown in its formation, it contains within itself the elements of a perpetual self-preserving energy. Hence, it has grown steadily from the beginning, having passed through six presidential elections, and is to-day stronger than ever before. It has an influential press, a systematic organization throughout the Union, a generous and growing fund contributed by the people for party work, and a large number of earnest men and praying women laboring for its success.

The Prohibition party, as its name implies, favors the suppression of the traffic in alcoholic beverages. The facts and arguments relied upon to sustain this position may be briefly summarized as follows: The liquor traffic costs our country $1,200,000,000 annually. It destroys the fruits of honest industry and wastes the nation's resources. It causes nine tenths of our crime and seven eighths of our poverty. It injures the health and vitiates the race. It retards the progress of education and religion. It corrupts our politics and obstructs the administration of justice. It desolates the home, causing tears to fall and hearts to break. In a word, it is the wholesale destroyer

of life, property, and character. This great evil can be suppressed only by the enactment and enforcement of suitable legislation. Laws are made and executed only by a political party having control of the government. The Democratic and Republican parties both favor license and oppose prohibition. This is made clear from their platform declarations, their journalistic utterances, the pronounced opinions of their great leaders, the character of their legislative enactments, and their conduct in the various state prohibition campaigns.

The People's party professes to sympathize with temperance reform, but at the same time declares in substance that it cannot afford to espouse the cause now, and regards questions of dollars and cents as being more important. The Prohibition party, therefore, is the only party that favors the suppression of the drink evil. It opposes all forms of license, taxation, or regulation of the liquor traffic which legalize and protect it. It affords the only opportunity for prohibitionists to express their true sentiments at the ballot box and vote for public officers who are entirely free from complicity with this deadly evil.

The Prohibition party alone declares against the monumental injustice of disenfranchising one half of our citizens on account of sex. We contend that women should be allowed a voice in the government under which they live, subject only to the same legal restrictions that apply to men. We do not advocate this merely on the ground of sentiment or expediency, but because we believe that by the principles of right and justice the ballot belongs to women. The fourteenth amendment to the Constitution of the United States declares that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." This includes women, for they are "persons." The Supreme Court of the United States has expressly declared that women are citizens. Webster defines the word citizen to mean "a person, native or naturalized, who has the privilege of voting for public officers, and who is qualified to fill offices in the gift of the people." The right of suffrage inheres in citizenship, and women, being citizens, are clearly entitled to exercise

it. No state has a Constitutional right to exclude any citizen from voting except for mental or moral incompetency. To do so is to trample upon the true American idea of liberty. Dr. Franklin, the distinguished revolutionary patriot and philosopher, truly said: "Liberty, or freedom, consists in having *an actual share* in the appointment of those who frame the laws. . . They who have *no voice nor vote* in the electing of representatives *do not enjoy liberty.*" The Prohibition party believes that the privilege of voting should be determined solely by standards of *character and intelligence*, and not by sex, property, or mere physical strength. Women have as much sense and integrity as men have, and would no doubt use the ballot with credit to themselves and with benefit to the country.

The Prohibition party, in my judgment, occupies the only truly sound and rational position on the tariff question. Our present system of tariff legislation is grossly and shamefully unjust. It extorts money from the people indirectly, and to an outrageous extent. They are taxed according to what they consume instead of according to what they possess. In this way it frequently happens that the day laborer with a large family to support pays more for the support of the government than does the millionaire with no children. The Republican party favors a protective tariff, which enriches the few at the expense of the many, and is little better than robbery. The Democratic party favors a revenue tariff, which taxes the people according to their necessities, and not according to their ability. It is estimated that for every dollar of revenue received by the government in this way, at least four dollars are taken from the people. The difference in the amount of tariff proposed by Democrats and Republicans is, after all, comparatively small. The Republican law of '83 prescribed rates averaging about 47 per cent, while the Democratic Mills bill averaged 42 per cent, leaving a difference of 5 per cent between them! Yet they declare this the greatest question now before the people, and consider prohibition "a side issue." The Prohibition party opposes tariff either for revenue or protection, and favors absolute free trade with all nations that will trade freely with us. We could justify tariff

only for defense against nations which levy tariff upon or bar out our products. We do not believe in impoverishing the masses to enrich a few manufacturers and monopolists. We do not believe that tariff is a proper method of raising national revenues. We contend that the burdens of taxation should be placed upon the wealth of the people instead of their poverty.

The Prohibition party declares that "all men should be protected in their right to rest one day in seven." We do not, as a political party, deal with the religious aspects of the Sabbath question; that is wisely left to the churches. We would not compel men by law to attend church, hear sermons, read the Bible, sing gospel hymns, or practice any form of worship on the Sabbath day; but we earnestly contend that the grasping greed of this avaricious age should not be allowed to deprive our people of the needed day of rest; and that those who wish to observe it as a day of religious worship should have an opportunity of doing so. We would seek to guard and protect the Sabbath only as a civil institution, without oppressing any one religiously. Blackstone, in his "Commentaries," assures us that the Sabbath is of undoubted value as a civil institution, and perhaps no jurist or statesman of ability would dissent from this statement. Adam Smith, the distinguished political economist, said: "The Sabbath as a political institution is of inestimable value, independently of its claims to divine authority." Justice McLean, of the United States Supreme Court, expressed the opinion that "where there is no Christian Sabbath there is no Christian morality; and without this, free government cannot long be sustained." Dr. Schaff, the well-known church historian and theologian, makes the following observations on this subject: "Take away the Sabbath, and you destroy the most humane and democratic institution which in every respect was made for man, but more particularly for the man of labor and toil, of poverty and sorrow. Take away the Sabbath, and you destroy a mighty conservative force, and dry up a fountain from which the family, the church, and the state receive constant nourishment and support. Take away the Sabbath, and you shake the moral foundation of our national power and prosperity; our churches will be

forsaken, our Sunday-schools emptied, our domestic devotions will languish, the fountains of public and private virtue will dry up; a flood of profanity, licentiousness, and vice will inundate the land; labor will lose its reward, liberty be deprived of its pillar, self-government will prove a failure, and our republican institutions end in anarchy and confusion, to give way, in due time, to the most oppressive and degrading military despotism known in the annals of history. Yea, the end of the Sabbath would be for America the beginning of the unlimited reign of the infernal idoltrinity, of Mammon, Bacchus, and Venus, and overwhelm us at last in temporal and eternal ruin." (*Princeton Review*, vol. xxxv., p. 570.)

The fundamental importance of the weekly rest day fully justifies the state in seeking to maintain it. We cannot but approve the superior wisdom of the Prohibition party, which alone declares for the preservation and defense of the weekly day of rest.

The Prohibition party takes advanced ground on all the leading reform questions now before the American people. He who asserts that we are a party of but "one idea" only betrays the narrow limits of his reading. We favor an ample and sound currency, consisting of gold, silver, and paper, all full legal tender, and issued directly to the people by the government, without the intervention of banks. We believe that foreign immigration should be so restricted as to exclude criminals, paupers, and other undesirable classes, and that no foreigner should be allowed to vote until after he has been naturalized. We contend that railroads, telegraph lines, and all other means of transportation and communication which owe their existence to grants of power from the state, should be controlled by the state in the interest of the people, and no higher charges allowed than may be necessary to afford a reasonable profit on the capital actually invested. We condemn the reckless squandering of our public domain by which the dominant parties have, to a great extent, confiscated the patrimony of unborn generations; and we insist that this policy should be reversed, that all unearned grants of land should be reclaimed, that no



more of the public lands should be thus given away, and that nonresident aliens should not be allowed to acquire land in this country. We favor the election of president, vice-president, and United States senators by a direct vote of the people. We believe in arbitration and conciliation as the best method of settling national and industrial disputes. We deplore the frequent instances of mob violence, and urge a more speedy, impartial, and vigorous enforcement of law. In short, we oppose all forms of oppression, injustice, and wrong, and favor all measures necessary for the public good.

B. W. WILLIAMS.

WHY STATE PROHIBITION IS NOT A SUCCESS.

BY ALBERT M. POTTER.

IT IS a fact conceded by all, irrespective of party affiliation, that the liquor question is in its present form the vital question before the American people. Never before have the people of the several states become so aroused over prohibition legislation, and yet, notwithstanding the hold which anti-prohibition and prohibition has upon state politics, and the vim and vigor with which the prohibition forces carry on their campaigns, the liquor traffic is carried on in all its forms, and the prohibitory laws openly violated in those states where such laws now rest upon the statute books.

Temperance organizations are in every county, and eloquence echoes from hill and valley as the temperance orators herald to the world the shame, suffering, and ruin which intemperance brings. The story of blighted hopes, of ruined homes, and of drunkards' graves is taught with all its force and truth, and yet it must be conceded that in enforcing the prohibitory laws these lessons fall far short of their mark.

Prohibitionists are, as a class, temperance people, but temperance people residing in prohibition states are not, as a class, prohibitionists, and as a result the prohibitionists, in their zealous endeavors to uphold and enforce the law, lose sight of the fact that their is a distinction between prohibition and temperance. Prohibition is not temperance, nor is it a promoter of temperance; for there may be prohibitory laws placed upon the statute books with all the dignity which lawmakers can assume and the courts command. The law may be held Constitutional by the highest courts. It may be stringent and severe in its intentions and heavy penalties imposed on those who violate it, and yet if such laws are not enforced they have

not benefited the temperance cause. There may be the most stringent and thorough prohibitory law upon the statutes and gross intemperance among the people, and, on the other hand, there may be no prohibitory law upon the statutes and far greater temperance among the people.

The primary object of all prohibitory legislation is to restrict and prohibit, and with the intention of prohibiting the sale of intoxicants some few states have passed what they term prohibitory laws, and it is my intention to set forth in this article my reasons for maintaining that state prohibition is impractical.

Upon the payment of $25, and a proper application being made, the Federal government will issue to the applicant a United States Retail Liquor License, which is a guarantee on the part of the government that it will not molest the applicant during the following year, should he engage in the retail liquor business.

The Federal government makes no distinction between states having prohibitory laws and those not having such laws, and in the very beginning of prohibition legislation, the state is confronted by Federal laws which directly or indirectly conflict with its well-defined and directed statutes. We have no national prohibitory laws and the Federal government and a majority of the states permit the manufacture of intoxicating liquors. Railroads are allowed to carry the same from one end of the Union to the other, and on all roads running north, south, east, or west, liquor is transported from one point to another, making it an easy matter for persons residing in prohibition states to import liquor in such quantities and at such times as they desire.

In a state like Iowa, surrounded by "liquor states," it becomes an easy matter to order liquor by letter and receive the same a day or two following, or should occasion require it, a telegram would bring it in less time. This is true even though the prohibitory law were enforced in every particular. It thus becomes an easy matter for any one, irrespective of age, to order and receive liquor in any quantity and at all times. Children can order and receive it, and can carouse and corrupt—and the state with all its legislative power must stand by a witness, yet powerless

to enforce a remedy. The state becomes poorer by millions of dollars. Money is sent out of the state, liquor is imported and consumed, resulting in a total loss to the state. Private cellars are made liquor storerooms. Such a state of facts, the necessary outgrowth of a perfect prohibitory law, would be a means of increasing drunkenness; for it must be conceded by all, that the more opportunities afforded for drinking the more drinking there will be. Such is the result of liquor stored in private houses within easy and unobserved access.

Having thus named a few of the evils necessarily arising from an enforced prohibitory law, I will now confine myself to the evils arising from a non-enforced prohibitory law.

For this side of the question, I will confine myself more particularly to the workings of the prohibitory law in Iowa. This law is a dead letter upon the statute books of Iowa; it is inoperative and of no force or effect.

Some one, I fancy, suggests that the people should enforce it and I echo the statement, and concur that when a law is placed upon the statute books it should either be enforced or repealed; but the people are the sovereign power of a state, they have power to make laws and to unmake them, power to enforce them or to ignore them. If the majority were in sympathy with the present prohibitory law in Iowa, they could enforce it, but they are not in sympathy with the movement and are looking forward to a repeal of the present law. Prohibition was carried in Iowa by 30,000 majority and yet the same people who so earnestly and conscientiously voted and worked for the adoption of the present law are now asking for its repeal. "The voice of the people is the voice of God." That Latin maxim has been sung to the people through the ages. It has been honored by legislative bodies and has marked their deliberations. The majority must rule and will rule. In this democratic government of ours, where all men stand equal as a law making factor, where the strength of ballot and not physical strength achieves the most, the will of a majority must be heard and heeded.

The prohibitory law of Iowa was passed by a large majority and for a few brief months was a success, but soon the evils

attendant upon such a law began to predominate and the majority which had so zealously and firmly held to prohibition soon began to lose its hold on this law and it has since been an utter failure.

It was found that prohibition did not prohibit. That the drink habit was increasing. That under a law which absolutely prohibited the trafficking in intoxicants, there were more saloons than under the low law license system; that more liquor was consumed; that more money was expended yearly for liquor prosecutions; that it gave birth to what is known in Iowa as "bootleggers," *i. e.*, men with bottles secreted in their clothes and who are veritable walking saloons; that the breweries and distilleries had ceased to run and as a result $20,000,000 was annually sent out of the state to purchase intoxicating liquors; that it bred liars and hypocrites without number; that it corrupted county and state officials; that our penitentiaries and asylums were rapidly filling up. In short, it was found that morals could not be legislated and that the prohibitory law was anything, other than that which it was intended to be.

One of the principal arguments in favor of prohibition is that it tends to decrease crime and that criminal expenses are less under such a law. That the opposite is true will appear from the fact that in 1881 or the year before the present prohibitory law in Iowa was enacted, there were confined within the walls of her two penitentiaries 463 convicts. For the year ending in December 1882, and but six months after the prohibitory law was enacted, there were 540 convicts, an increase of 77. After prohibition had been upon the statute books for ten years and after the greatest endeavors had been made to enforce it, there were in 1891, 665 convicts. Official reports show that the cost of criminal prosecutions is $5,000,000 per year. Our penitentiaries and our asylums are filled to overflowing. The question of building additions to them has been contemplated for some time, and unless there is an immediate change in the law, necessity will compel their construction.

In a recent report of the liquor situation in Iowa, made by F. W. Foulkes, editor of the Cedar Rapids *Gazette*, he states:

Reports of the wardens for years from July 1, 1885 to June 30, 1887, show that of the total number of convicts sent to the penitentiaries during the two years, there were but three saloon keepers and one bartender, while there were one hundred and seventy farmers. This was during the two years when the most united effort and best showing was made toward the enforcement of the prohibitory law.

There are to-day nearly 5,000 government licenses held in Iowa, and I am safe in saying that back of ninety-nine per cent of them there is a saloon. Drug stores and bootleggers are not included.

There is a growing tendency among municipalities in prohibition states to license saloons within their corporate limits. They are called "lunch counters," "disorderly houses," "restaurants," and many other misnomers, the intention being to derive a revenue from the saloons by an implied guarantee on the part of the municipality not to molest or prosecute the saloons. Thus the cities become lawbreakers and tools of the liquor men by licensing their unlawful business.

Saloons are money making concerns and under prohibitory laws the stock cannot be taxed. It is non-assessable because the law does not recognize it as property, and notwithstanding the amount invested in liquors or the enormous profits derived from the business, they are beyond the reach of the assessor or the equalization board. Thus they are unmolested, protected, and unassessed, while taxes upon other property is greatly increased as a result of the increased criminal prosecutions and the maintenance of criminals. To those who carefully investigate the workings of the law, it must be apparent that true temperance must come from some source other than from state prohibition. Education must promote temperance, as state law cannot. Morals cannot be forced upon a person, neither can they be legislated for him. The great truths of morality must be taught as a part of our education, must be learned by study, observation, and culture. The human mind is not susceptible of conceiving them from other sources, and so far as state prohibition laws act as temperance promoters they must ever be sad failures. So long as liquor is manufactured and trains thunder forth into every corner of the Union, liquor will be sold and delivered.



So long as liquor is manufactured men will drink it, and so long as men will drink it men will sell it, and the traffic must therefore continue until such time as Congress shall assume the burden and with one master stroke prohibit the manufacture, sale, and importation; until then there is no future for state prohibition.

The liquor question is one of great moment, but the question among states should be how to regulate it, for have it we must and prohibit it we cannot.

A. M. POTTER.

IMMIGRATION AND THE LABOR PROBLEM.

BY THOMAS NIXON CARVER.

THE term "Labor Problem" has been applied to the conflict that has arisen between the laboring class and those whom we shall, for convenience, call the employing class. It is pretty generally admitted that the most fruitful source of labor troubles is the lack of interest and personal sympathy between employers and employed. Under the old apprentice system this lack of sympathy did not exist. Then the master and his workmen were on an equal footing socially, and they worked side by side. But the transition to the modern industrial system has separated the employer from personal contact with the employed. This separation has resulted in the erection of a social barrier between them and the foundation of two distinct classes.

It is said that the Romans kept their soldiers from coming too close to the enemy until the hour of battle lest they should be able to look into the eyes of their adversaries and see, not enemies, but neighbors and friends. Whether this story be historically true or not, the point which it illustrates is undoubtedly true. The surest way to promote hostilities among men is to keep them from seeing too much of one another, otherwise they will make the discovery that their supposed enemies are men just like themselves. This principle holds true in all controversies whether religious, political, or industrial. Hence anything which tends to prevent mutual knowledge and understanding between employers and employed promotes hostilities between them.

In European countries where an aristocracy of blood, based on land ownership, already existed, it is not difficult to account for the separation of classes as a result of the change in the industrial system. In the relationship between lord and serf a recognized social distinction existed. This furnished an example

to be emulated by such as were, by superior business ability, able to raise themselves from the position of laborers to that of independent employers of labor. The economic superiority of the land holding classes had made their whole education and development different from that of their dependents. There was thus developed a superiority of culture and personal strength on the part of the landlords in addition to the economic superiority which belonged to them by heredity. When this difference was aggravated by absenteeism the gulf which separated the classes became wide indeed. The advent of the modern industrial system with its economic differences tended to produce social differences similar to those which existed between landlord and serf. In the first place, the industrial system in European countries began its life attainted with the idea that manual labor was degrading. In the absence of free schools the wage worker was practically cut off from the world of culture and refinement in which those in better economic circumstances were able to move. Thus while the employing classes advanced in culture and intelligence, the laboring classes remained ignorant and uncultured, and became, according to existing standards, unfit to associate with their employers.

It is quite natural, therefore that in European countries a lack of sympathy should have grown up between employers and employed. Under such circumstances one might expect the "*laisser faire*" principle to find favor with the employing classes, even when their employees were suffering actual want, and child labor, with all its horrors, was in vogue.

But in this country, especially in the northern part, with its ultra-democracy, and universal education, it would seem strange that such a barrier should arise between the laboring classes and their employers. Here the idea that any kind of honest labor is degrading has never been tolerated. The most popular statesmen and politicians from Jefferson down to Cleveland have been recognized as champions of absolute democracy. Absolute legal and political equality for all classes is the dominant idea of American politics. Manifestly there are no political reasons for a distinction between classes.

Probably the most democratic institution in this country is the public school. In the public school the future laborer meets his future employer on equal terms. They study the same books, recite in the same class, obey the same rules, occupy the same playground, and play the same games. In each place, merit is awarded regardless of wealth or social position. It cannot be said that, as a rule, the laborer grows up the intellectual equal of his employer. The rule is necessarily that those with the best minds do not generally become wage-workers. But still it seems scarcely conceivable that citizens who have thus grown up on equal terms should afterwards become members of entirely different castes, unless some extraneous influence is brought to bear. A constant stream of foreign-born laborers flowing into the country furnishes this influence.

The foreign-born element of our population is ignorant to a much greater degree than the native-born.* The foreign element in our population contains a much greater proportion of paupers than the native. In 1880, three fifths of all inmates of almshouses in this country were either foreign-born or children of foreign-born parents.† The foreign-born element is also disproportionately criminal.‡

The habits of life of many of our immigrants, especially of the lower classes, are utterly at variance with American standards of decency.‖ When our manufacturing establishments are largely filled with such men as these, it is perfectly clear how there could arise a distinct barrier between the laboring classes and their employers. It becomes still clearer when we take into

* In Massachusetts, according to census of 1885, five sixths of all illiterates were foreign-born.

† Census Bulletin, No. 90.

‡ Mr. W. F. M. Round, in his paper on "Immigration and Crime" (American Journal Social Science), after a careful statistical investigation draws the following conclusions: 1. There is a relation between crime in America and immigration. 2. The foreign population furnishes a prison population out of all proportion to its relation to the general population. 3. The increase in crime has no more than tallied with the proportionate increase of immigration. . . . 6. The Irish, Chinese, and Italian immigrants furnish a far larger percentage of prisoners than is their ratio to the general population. . . . 8. This crime tendency is in conformity with the crime statistics of the nationalities named.

‖ Francis A. Walker, Yale *Review*, July, '92, on "Immigration." R. M. Smith, "Emigration and Immigration."



consideration the natural antipathy that exists between men of different nationalities, and more especially between men of different races. The native-born workmen who are forced by circumstances to work in the same occupation with these immigrants, are forced to share their degradation—just as white laborers in the South, whose circumstances force them to do the same work as negroes, are compelled to share the social degradation of the negro.

It is not claimed that without this constant stream of immigration there would exist no social distinctions. But the force of immigration has been to widen whatever gulf might otherwise have separated the laborer from the employer. This fact has given the employer a contempt for, and lack of sympathy with, those who seek employment from him, and has engendered in the laborers a lack of interest in their work or their employer's welfare and has bred a general feeling of bitterness and jealousy. Both sides feel that their interests are at variance and that whatever is conceded by one side is lost to it, and gained by the other. Thus we have a labor problem.

Could we by some means stop this flood of immigration, or even improve the character of our immigrants we would be rid of one of the most fruitful causes of discontent and restlessness. Without this constant disturbing element in our social organism, American democratic principles and American public education might be relied upon to reduce the barrier between the laboring and the employing classes. By bringing once more the laborer and the employer into terms of mutual confidence and respect, we should retain all the good features of the wage system, and gradually eliminate the bad features.

T: N. CARVER.

RAILROADS AND THE GOVERNMENT.

BY JAMES S. FISHER.

TRANSPORTATION is one of the great questions demanding a solution by the laboring and producing classes of the United States. The platform of one political party, claiming to be national, demands "that the means of communication and transportation shall be owned by and operated in the interests of the people as is the United States postal system," and again upon certain conditions therein stated "we demand the government ownership of such means of communication and transportation." A writer of some note in one of our leading magazines has said: "There is no longer any question as to the power of the nation to control these great arteries of trade, nor is there outside of a limited circle, any question as to the necessity of such control, and it but remains for the Congress to formulate such statutes as will protect user and investor, both of whom are at the mercy of a small body of men, who can and do make and mar the fortunes of individuals and states without let or hindrance."

In this grave charge the evils of unrestricted railroad management are probably not overdrawn. There can be no doubt of the necessity of governmental control of the railroads. Their managers and chief officers are probably preparing for that event and so preparing that they shall be controlled in the interest of the corporations exclusively; but the question naturally arises, where shall that control originate, in the general government or in the several states, where and by whom the roads were authorized to be located and built? Before taking steps towards legislating in any direction on that question, common prudence would dictate that we carefully examine the powers granted to the United States by the Constitution as well as those reserved

to the states respectively or to the people. And in attempting to do so, for the sake of brevity, we will omit to give credit to those great statesmen and jurists, who have crystallized the principles of our government in language too clear to be misunderstood, and an attempt to restate which would be but to mar, and also disclaiming any pretense to originality, we will faithfully endeavor to bring together facts and principles which have been public property for years.

The tenth article of the amendment to the Constitution of the United States proposed at the session of Congress begun and held at the city of New York on the 4th day of March, A. D. 1789, declares that "The powers not delegated to the United States by the Constitution nor prohibited by it to the states, are reserved to the states respectively or to the people." Under this article the United States courts have uniformly held that the government of the United States can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given, or given by necessary implication, and the words of that instrument are to be taken in their natural and obvious sense, and not in a sense unreasonably restricted or enlarged.

The question under consideration, that is the authority of Congress to appropriate public moneys for internal improvements, such as constructing roads and canals within the jurisdiction of the several states, has been much discussed on public occasions and between the legislative and executive branches of the government, but it is believed that the point has never been brought under judicial consideration. On these and other occasions there has been a great and decided difference of opinion between Congress and the president on the Constitutional question.

The Cumberland road, from Cumberland, Maryland, to the Ohio river, was constructed under the Act of March 29, 1806, and this road had been made under a covenant with the state of Ohio by the Act of April 30, 1802, that a portion of the proceeds of the lands, lying within that state, should be applied to the opening of the roads leading to that state, with the consent of the states through which the roads might pass. But the

expenditures on that road far exceeded the proceeds of sales of public land in Ohio, and in 1817 the president of the United States objected to and defeated an appropriation bill for that road on the grounds that the Constitution did not extend to making roads and canals and improving water courses through the different states, nor could the consent of the states confer that power. Afterwards, in 1822, President Monroe vetoed a bill appropriating money for repairing the Cumberland road and establishing gates and tolls on it. It afterwards became the property of the states through which it passed.

President Jefferson in his message of December 2, 1806, and President Madison in his message of December 3, 1816, equally denied any such power in Congress. In 1830 President Jackson declared himself to be of opinion that Congress did not possess the Constitutional power to construct roads and canals, or appropriate money for improvements *of a local character*, but he admitted the right to make appropriations for such as were of a national character had been so generally acted upon and so long acquiesced in as to justify the exercise of it on the ground of continued usage. He objected upon that distinction to the bill authorizing subscriptions to the Maysville road as not within the legitimate powers of Congress. This veto of President Jackson's came at a time when internal improvement by the Federal government was apparently just becoming a part of the American system, and when concentrated action on the public mind had created for it a degree of popularity; for President Adams in his inaugural address on the 4th of March, 1825, alluded to this question, and his opinion seemed to be in favor of the Constitutional right of the liberal application of the national resources to the internal improvements of the country. This last veto under the circumstances was a killing blow to the system and settled the policy as well as Constitutional power of the government in regard to it for a time at least.

This question came up again in 1846, for President Polk on the 3d of August of that year vetoed and defeated the bill which had passed both Houses of Congress, for appropriating $1,378,450 for separate and distinct internal improvements in

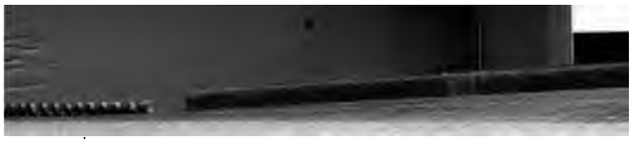
certain harbors, rivers, and lakes in various parts of the United States. The president denied the existence of a Constitutional power in the general government to construct works of internal improvement within the states or to appropriate money from the treasury for that purpose. He considered the absence of such a power to be a principle well settled and that the inexpediency of the power was demonstrated in the exercise of it in that case, for the bill contained appropriations of money for more than twenty objects of internal improvements, called in the bill harbors, at places which have never been declared by law, either as ports of entry or delivery, and at which there has never been an arrival of foreign merchandise and from which there has never been a vessel cleared for a foreign country. This veto appears to have settled the Constitutional interpretation that Congress had no power to appropriate money from the Federal treasury for building roads and canals within the jurisdictional limits of the several states, when such works were not of a national character, and the application of this rule has equal if not greater force in the case of the general government building, owning, and operating railroads within the several states. The power to build, own, and operate railroads within the states, thus appearing not to have been granted to Congress by the Constitution as interpreted by our greatest and wisest statesmen of the past, nor prohibited by it to the states, that power must be reserved to the states respectively or to the people. Should the contention still be maintained that Congress has that power, it is certainly contained under some of the heads of Constitutional derivation. That power has been claimed for Congress under so many different grants of power by the Constitution as to raise a suspicion that it is not to be found in that instrument.

The power to establish post-offices and post-routes is a case in point. As to this grant, post-offices and post-routes existed at the time of the framing of the Constitution. To establish is the ruling term, and roads and offices are the objects on which it is to act, and how? The most obvious answer would be that it was a power given to Congress to legalize existing roads as post-routes, and existing places as post-offices, to fix the towns,

cities, and other places throughout the Union at which there should be post-offices, the roads by which the mails should be carried, to fix the postage to be paid, and to protect the post-offices and mails from robbery, by punishing those who commit the offense. So much, and so much only, is all the government ever claimed to do. It would hardly be contended by any, that it included the right to lay out and build a railroad within the jurisdictional limits of a state, taking the soil from the proprietor against his will or to purchase one already built, to establish freights and fares, enact a criminal code for the punishment of injuries to the road, and to do all that the protection and successful management of a railroad requires. The use of the existing road would be all that could be claimed under this grant of power, the jurisdiction and soil remaining in the state or in those authorized by its legislature to change the location of the road at pleasure.

In Deckey *vs.* Turnpike Road Co., 7 Dana, R. 113, the Kentucky Court of Appeals held that the power given to Congress by the Constitution to *establish post-roads*, enabled them to make, repair, keep open, and improve post-roads, when they should deem the exercise of the right of eminent domain on this subject expedient. But in the exercise of the right of eminent domain on this subject, the United States have no right to adopt and use bridges and ferries constructed and owned by the state, corporations, or individuals without their consent, or without making to the parties concerned just compensation. If the United States elect to use such accommodations without the performance of such a previous consideration, they stand upon the same footing, and are subject to the same tolls and regulations as private individuals. This important decision was well supported by sound reasoning.

The right to declare war, it has been claimed, carries with it the incidental right to build and construct roads and canals, which would, as a matter of course, include railroads. This is a grant of power to the United States and prohibited to the states, carrying with it a great many necessary incidents to the carrying on of war, such as to raise and support armies and a navy, to provide



for calling out, arming, disciplining, and governing the militia when in the service of the United States; establishing fortifications and to exercise exclusive jurisdiction over the places granted by the state legislatures for the cites of forts, magazines, arsenals, docks, and other needful buildings, as well as to raise moneys by duties, taxes, imposts, excises, and loans, all of which are enumerated in the Constitution, apparently to the exclusion of constructive incidents, and especially to one so great in itself and so much interfering with the soil and jurisdiction of the states as would that be of building, owning, and operating railroads. It is unnecessary to take into consideration the dangerous tendency of such an interference with the jurisdiction of the several states by a view of the extensive field over which it would operate, when we reflect that the exercise of such a power under this grant is wholly unnecessary, as the government has never suffered inconvenience from the railroads, either in the carrying of the mails or the movement of armies or munitions of war.

There is another grant of power to Congress by the Constitution which has been mainly relied on as authority on the question of intended improvements by Congress, and that is the power to regulate commerce among the states. The interstate commerce law is enacted under that grant, and the power is well defined in Gibbons *vs.* Ogden, 9 Wheaton 1. In the construction of the power to regulate commerce in that case, the court held that the term commerce meant not only traffic but intercourse, and that it included navigation, and that the power to regulate commerce was a power to regulate navigation; that commerce among the several states meant commerce intermingled with the states, and might pass the external boundary line of each state and be introduced into the interior. It was admitted that the power did not extend to that commerce which was completely internal and carried on between different parts of the same state and which did not extend to or affect other states, that the power was restricted to that commerce which concerned more states than one and the completely internal commerce of a state was reserved for the state itself; that the powers of Congress on

this subject comprehended navigation within the limits of every state, and it might pass the jurisdictional limits of a state and be exercised within its territory so far as the navigation was connected with foreign commerce or with commerce among the several states. The court further held that this power of Congress was plenary and absolute within its acknowledged limits; but it was admitted that the inspection laws relative to the quality of articles to be exported and quarantine laws and health laws of every description, and laws regulating the internal commerce of a state, and those with respect to turnpike roads, ferries, etc., were component parts of an immense mass of legislation, not surrendered to the government. Though Congress may license vessels to sail from one port to another in the same state, the act is supposed to be necessarily incidental to that power expressly granted to Congress, and implies no claim to a direct power to regulate the purely internal commerce of a state or to act directly on its system of policy. The court construed the word *regulate* to imply full power over the thing to be regulated and to exclude the actions of all others that would perform the same operation on the same thing.

This leading case was reviewed, illustrated, and enforced in the case of The United States *vs.* The Steamboat James Morrison, in the United States District Court in Missouri, in 1846 (reported in the New York Legal Observer for September, 1846), with this qualification, viz.: That a steamboat employed as a ferryboat only, on the river Missouri, within the limits of the state of Missouri, was not bound to take out a license from a United States officer under the Act of Congress of July 7, 1838, that the power to regulate commerce among the several states did not extend to a navigation so perfectly internal and so totally disconnected from commerce out of the state.

The principles laid down in these cases offer no hope of relief from the general government against the discriminations and extortions of railroad corporations within the limits of any state under this clause of the Constitution.

Again, the Constitution provides that Congress shall have power to pay the debts and provide for the common defense and

general welfare of the United States. It has been urged that under this power, and as incident thereto, Congress has the power to set apart funds for internal improvements in the states, with their assent, by means of roads and canals. On the contrary, it was insisted that the "common defense and general welfare" clause was no grant of power, but in themselves only an object and end to be attained by the exercise of the enumerated powers. The clause is found in that sense in the preamble to the Constitution, in company with others, as inducing causes to the formation of that instrument and as benefits to be obtained by the powers granted in it. They stand thus in the preamble to the Constitution: "We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." These are objects to be attained by the exercise of the powers granted in the body of the instrument. The power to "lay and collect taxes, duties, imposts, and excises" was an important one, but if governments are to be maintained, that power must be lodged somewhere under proper restrictions and limitations as to its purposes and manner of exercise. It was the undue exercise of that power by the British government, as claimed by the framers of the Constitution, that led up to the Revolution and the establishment of an independent government. The first clause of Section 8 of the Constitution, declares that "Congress shall have power to lay and collect taxes, duties, imposts, and excises," and as if to limit the exercise of that power it apparently points out that the objects to be attained thereby are "to pay the debts and provide for the common defense and general welfare of the United States," restricting the manner in which this power is to be exercised, it concludes, "but all duties, imposts, and excises shall be uniform throughout the United States." This appears to be a rational interpretation, the "plain and obvious sense" of that grant of the Constitutional power of Congress under that clause, and seems to have been strictly

adhered to in the early days of the Republic, and one that is ample for all the purposes of the general government and embraces no element of danger to free institutions.

But the Constitution grants to Congress the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof," and this clause has been advanced as authority for Congress to enter into a general system of internal improvements in the states, such as building roads and canals. Upon a careful reading it is hard to conceive how this clause grants to Congress the power to do anything which might not have been done without it. It seems to be only added to the enumerated powers through caution to secure their complete execution. Any other construction would be dangerous. Any construction which makes the judgment of Congress the rule and measure of what is "necessary and proper" in legislation, takes a rule which puts an end to the limitations of the Constitution and refers all the powers of the body to its own discretion. Such a rule of construction is manifestly inadmissable and without which Congress has no power under this clause to construct, own, and operate railroads within the territorial limits of any state.

There is another grant to Congress which was formerly claimed as a source of power for making roads and canals within a state which if admitted would apply equally as well to railroads, and that is the "power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." The different states had ceded territory to the United States, special provision was deemed necessary for such territory, no power in the Constitution being applicable or adequate thereto. Public lands must be disposed of, the money arising therefrom appropriated and new states organized, but there is no suggestion of a power in Congress to make internal improvements in the states, which other clauses of the Constitution appear plainly to prohibit.

We cannot too much admire the wisdom and statesmanship of



the framers of the Constitution in thus withholding from the Federal government all power to interfere in the purely local affairs of the several states. Nothing could more effectually tend to obliterate state lines and evolve a government of concentrated and arbitrary powers than for the general government to own and operate all this mighty network of railroads, extending through so many degrees of latitude and longitude and embracing so great and varied interests and industries of an intelligent and progressive people. The power of their management, felt in each and every part, in every mile of each and every road, would be stronger than the government, and as a result would shortly become the government. Past experience with executive patronage makes us doubly assured of this.

The inordinate claims of privilege and power on the part of railroad corporations have been fully developed, and the necessity of an inquiry as to the duty of state legislatures, have been forced upon the country. Railroad corporations have grown strong, bold, and grasping. They wield the immense and almost unlimited power of concentrative wealth. Their agents and instruments are found in and swarm around every legislative hall to do their bidding. Their wealth commands the service of the highest order of intellect. Offices and emoluments among the highest and most honorable in the gift of the nation are gladly resigned for a seat in their councils. They have become one of the powers of the state and in many states they may be said to be *the* power, and the grave question is ever presenting itself more and still more strongly whether the sovereignty of the states and their great vital interests are *entirely and forever* at the disposal of weak and facile legislatures, controlled by the corrupting influence of corporate wealth.

Suppose each state to have a railroad commission directly responsible to the people armed with ample power by the several state legislatures, these state commissions coöperating with each other and with the United States interstate commerce commission, they would easily regulate the entire internal commerce of the United States, when the evils complained of would soon disappear, railroad investments become justly remunerative, and

the Federal government served in its various branches with alacrity, fidelity, and despatch. It is perfectly evident that in the minds of every conservative, intelligent, patriotic citizen there is a settled conviction that "to that complexion it must come at last."

JAMES S. FISHER.



DIVORCE AND THE RIGHTS OF SOCIETY.

BY HARRY C. AGER.

WHILE the movement to unify the various divorce laws of our different states is not making very rapid progress, it is an effort that enlists the sympathy of many persons who take no part in the agitation. Most persons admit that our present divorce laws are in sad need of reform, and that it is unjust that the laws of one state should for all practical purposes nullify the restrictions of another. The majority of people feel a strong aversion to the radical divorce laws of some of our Commonwealths, and especially to the judicial construction placed on these laws, which makes divorce practically free. The large percentage of marriages that are ended by divorce is appalling; and the figures, though quickly forgotten, stir the public conscience whenever they are conspicuously presented. On the other hand, the public sees no practicable way of reforming these evils or of agitating for reform; and this is undoubtedly the reason why this movement has received so little support. Moreover, unification of divorce laws is usually associated in the minds of the public, and even of many promoters of the reform, with the total abolition of divorce, or at least, with its restriction within very narrow limits. Of course, no one proposes to unify our laws by leveling them down to those of Illinois or South Dakota; and most persons interested in the reform prefer to make the laws of New York the standard. But the movement lacks strength principally because its object has not been well defined, and because it has never been satisfactorily shown what the legitimate grounds of divorce are, and to what extent one state should consider the laws of other states in framing its divorce statutes.

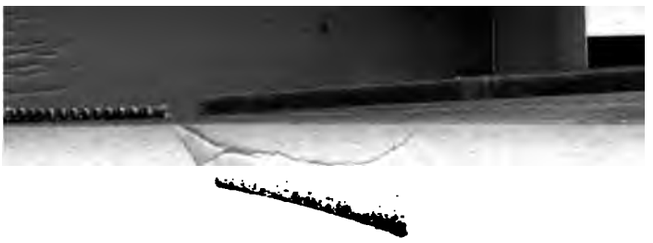
Let us consider the latter question first. Every state should

be left to decide what laws shall govern its own citizens, and those residents who are for all practical purposes citizens. It should also have jurisdiction over the acts committed within its borders; but it has no right to interfere with the acts of citizens of other states committed outside of its borders; for this is manifestly an interference with the sovereignty of other states. A state then should limit the application of its divorce laws to the following cases: When the marriage was performed within the state; when either party to the marriage was a resident of the state at the time of the marriage; when the act on account of which divorce is asked is committed within the state; when at the time the act was committed either of the parties was a resident of the state; and finally, the state should acknowledge the validity of the divorces granted by another state which might under the above provisions have jurisdiction in the case.

The term resident has never been clearly defined in this country, although it is used in the Constitution. An exact definition is not necessary in this discussion; but it evidently should be more strictly interpreted than it often is.

The question of when should divorces be granted is more complicated and is also a question difficult to discuss without exciting prejudice. But the study of ethics has disclosed principles of action relating to nearly all other social questions, and why may they not aid in settling this question also.

Some may say that the Bible settles the question for us, why go further? But the two texts in the New Testament relating to the subject are inconsistent. Which shall we follow? Moreover, every one admits the teachings of the Bible, even when applied to mere morality, cannot be interpreted according to the strict letter. No rational rich man feels it his duty to sell all that he has and give to the poor; and very few Christians take the command, Resist not evil, literally. Furthermore, there is much that is plainly immoral and that is declared in the Bible to be immoral, that is outside the province of civil jurisdiction. We have no laws against pride, avarice, or self-righteousness; though Christ denounced them all as sins. So we are left to settle on rational grounds the question of when divorce shall be granted.



The primary question that governs the decision of social and legal questions, is that man shall be left free so far as he does not infringe upon the freedom of others; but shall be restrained when he injures others. The question to be determined, then, is how far, according to this principle, society can interfere at all with the marriage relation. It must be remembered that it is of the greatest importance to society that its future members should, while young, receive a proper training; and it is therefore deeply concerned with the relations between parents. In brief, society has a right to interfere with marriage and divorce so far as such interference may improve the training of children. It is generally admitted by those who have studied the problem, that such training can best be accomplished in families. The best way to care for orphan, pauper, or delinquent children is to board them in families, and when this is impracticable, it is found best to keep them in small institutions that there may be the nearest possible approach to family life. Moreover, the influence of both parents is necessary to the proper development of a child. For instance, it has been clearly shown in France that the laxity of the marriage laws and the frequency of illicit unions have resulted in an increase in juvenile crime. It is no answer to say that the children of widows or even illegitimate children, have often become useful citizens; or even that they not unfrequently attain to eminence. Society has a right to demand that a child should have the best practicable training, and not merely such as may suffice. But if a child is to be trained by two persons acting in partnership, this partnership should be of the closest possible kind, and that marriage, the legal form of this partnership, should be sufficiently binding and permanent to accomplish this result. But in applying the principle practically, the question takes a dual form, since we must manifestly deal somewhat differently with couples who have children and those who have not. But as the birth of children must always be assumed as the result of marriage, society has a right to insist that this union should be of such a character as will best fit the parties for parenthood. To this end it is very important that they should believe that the partnership is to be permanent, for

it is only under such conditions that they will be willing to thoroughly confide in one another. Therefore marriage should be indissoluble except for causes that could not be foreseen at the time it was contracted. But when there are children, society should refuse divorce unless it can be proved that longer continuance of the union would not be beneficial to them. It would be impossible to enumerate all the causes for which, on these principles, divorce should be granted. They would vary somewhat with the locality and with individuals. In certain localities habitual drunkenness might be regarded as a sufficient cause for divorce, provided it could be shown that the injurious example of the drunken parent would more than offset the advantage to the children of having the union continued.

Permanent desertion would be a sufficient cause of divorce, because whether there were children or not, there would be no advantage in continuing a union in law which is not in any sense a union in fact.

Such treatment of either married partner by the other as to make him or her unable to perform properly the functions of parenthood, would be another cause for which divorce should be granted. Many other examples might be given.

It should, however, be borne in mind that the obligation of society to grant a divorce, does not imply any obligation on the part of individuals to apply for it. In fact, it might often be the duty of society to grant a divorce if asked for, when it would be the duty of the individual to abstain from asking for it. The influence of a virtuous husband or wife upon a corrupt married partner is incalculable, and therefore the desire for human welfare might lead one to continue a partnership that might legally be terminated. And yet society cannot make men moral, nor can it decide their duty for them; all that it can do, or should attempt to do, is to protect its members from injury.

There are two criticisms that may be made of this solution of the problem. First, that it would make divorce too easy, the other, that it would restrict it too much. The second criticism is easily answered. If persons undertake the important, not to say sacred, task of bringing children into the world and rearing



them, they cannot complain if society requires that this task shall be moderately well done, even at the expense of great inconvenience to themselves. As to the other criticism, while this solution may seem liberal, it restricts divorce far more than do the laws of many European countries, and more than the statutes of many, if not most, of our states. Furthermore, where there is diversity of opinion, a question can only be settled by means of general principles.

HARRY C. AGER.

A NEW BASIS FOR MONEY.

BY ARTHUR I. FONDA.

THE present widespread discussion of financial questions, and the many antagonistic changes proposed in existing systems, led the author of this article to attempt an analysis of the requirements of a monetary system, in the light of the accepted conclusions of the best authorities; and to compare existing systems, and some proposed changes, therewith, in order to ascertain the merits and demerits of each.

This attempt led to conclusions in extension of previously accepted laws on the subject, not, so far as the author is aware, previously published, and which appear to reconcile several apparently conflicting monetary plans with one another and with accepted laws.

These conclusions, and an outline of a financial system based thereon, are embodied in this article, and it is offered to the public in the hope that it will help to clear some confused ideas, now current, and assist to the final solution of the problem of a perfect money.

To avoid ambiguity the following definitions are given of the more important terms used in this article, which, it is believed, will be found to conform to those of the best authorities:

Commodity.—Anything which has exchangeable value: including, therefore, notes, drafts, and all forms of debt and credit.

Value.—A ratio or relation between supply and demand, measurable in any commodity by its exchangeability for other commodities. Under this definition the value of any commodity is measurable *only* by reference to some other commodity, and any other commodity may serve as such measure.

Money.—That commodity to which, by common consent and usage, sanctioned by law, all other commodities are referred as a

measure of value, and by means of which exchanges of other commodities are effected. With the beginning of commerce, began the necessity for an agreed commodity in terms of which the value of all other commodities might be expressed. For the various commodities so used at different times, the reader is referred to any standard work on the subject. This article will deal only with those in present use, the existing systems, and proposed changes therein.

In approaching this subject, it is necessary that the reader should disabuse his mind of any idea that gold or silver possess by nature, or have, or can have conferred on them by law any quality of fixed value which renders them exempt from the general laws of value. The selection of any commodity for use as money does not in any wise cause it to differ from other commodities as regards these laws.

Money, under the above definition, has two functions:

First.—As a measure or standard of value: its unit being the unit of value.

Second.—As a medium of exchange.

Some writers deny this first function, but no reasoning on the subject is possible, even by those denying it, without a tacit admission of, and reference to, some unit of value; and the denial seems to result from a confused or restricted idea of the meaning of the terms used. Other writers add some other functions to those above enumerated, but for the purpose of this inquiry, they may properly be included in the above.

The requirements of a perfect money to fulfill these functions must be: (1) *An invariable value.* Invariable, because that, so far as possible, is the first requisite for any standard or unit of measure; having value, because value is an essential requisite of any commodity,—money as well as any other—and because any unit of measurement must possess the quality which it is to measure. (2) As a medium of exchange, money must be generally acceptable, convenient, not liable to destruction by ordinary usage, etc. These requirements are of minor importance, and may be dismissed with the general statement that paper money appears to fulfill them best. Money being the measure

of value in all other commodities—the value of each being variable—its own invariability can be recognized only by reference to *the average value of all other commodities*, in other words, *its average purchasing power*. Value, under the definition given, being a ratio between supply and demand, must vary with a change in either, alone. Cost of production enters the calculation only in a secondary way as affecting the supply. Hence, to maintain a constant money value, we must maintain a constant ratio between the supply of and demand for money, and *as the demand fluctuates the supply must also fluctuate in the same ratio;* and the only test of a constant money value must be a *constant average purchasing power of its unit.*

In regard to demand for money, it may be said that it is most variable and uncertain, changing with activity of commerce, means of communication, habits of people, banking facilities, and from many other causes. No stated amount per capita would be correct for two different countries on the same day nor for the same country on two different days ; and the fluctuations are great in amount.

Examining some existing and proposed monetary systems to see in how far they fulfill above requirements, we find that all existing systems in commercial countries have, as the unit of value, a definite weight of either gold or silver, or both ; that the money is composed of coins of those metals, generally augmented by the use of paper money, which consists of promisory notes without interest, issued by the government or authorized banks, and payable in coin on demand. The amount of gold and silver available for this use is evidently restricted to the total amount in existence, less the amount that is more valuable for other purposes, the total being increased by an uncertain quantity each year. In some cases the government still further restricts, by law, the amount coined or used as money—as in the case of silver in this country. But whether such restriction be a natural one, as under free coinage, or an artificial one by the government, there is nothing to show that such control, in any existing system, is an adequate adjustment of the supply to the demands of commerce, or is governed, in any way,

by the test above noted for stability in value of money. It may, therefore, be stated that coin alone, as money, does not in existing systems, and cannot in any system without proper control as to quantity, furnish a stable unit of value.

When coin is supplemented by paper money, the latter simply augments the volume of the money, the whole circulating as a unit, regardless of the proportion between the different kinds; it acts simply as so much coin would. If issued in excess of the demand, as compared with other countries, it forces out the coin to other countries by lowering the value of the money below what it is elsewhere. If continued long enough, it drives all the coin from the country, or from circulation as money, and produces a debasement of the money of that country below the standard of others, as the paper will not circulate beyond the issuing country and continues to accumulate, lowering the value with each fresh issue. This fact is an extension of Gresham's law of the forcing out of good coin from a country by clipped, worn, or light coin (generally accepted, but more or less misunderstood and misapplied). It is simply the law that any commodity will seek the market where it is worth most. A large increase in gold, due to new discoveries in any country, lowers the relative value and forces out a portion of the gold to other countries until equilibrium is restored. It is generally claimed that such flow of gold between countries gives a stable value to that metal (gold being the basis of coinage in most countries). This is not true. It gives it a uniform value in all countries using that standard, but that uniform value is liable to wide fluctuations from time to time. Indeed, the very forcing out of gold to other countries by gold or paper issues in one, lowers the value of the money in those other countries also, by increasing the supply. It is as if, in several connecting tanks of water all fluctuating, an amount were added to one, or drawn from it. The change of level thus caused would be transmitted to the other tanks by a flow from the higher, until all were again on a level; but the second level, nevertheless, might be much higher or lower than the first. Continuing the illustration, as these tanks are not under one control, the controller of any

one cannot maintain a constant level in that tank except by adding to or drawing from it as the level varies with reference to a *fixed gauge*. In a money system, such fixed gauge must be the average purchasing power of money, and natural laws do not furnish the necessary control. The ease with which the volume of paper money can be changed at once points to it as the best method of varying the supply, and also suggests the damage that may be done by its use without proper control and a fixed standard by which to regulate it.

The monetary system of the United States is a combination of gold and silver coins, with several kinds of paper money based thereon. Of the gold and gold certificates, no control is attempted beyond the natural supply of that metal; there is an arbitrary control of silver and silver certificates, bearing no relation to variations in demand; the treasury notes are fixed in amount; the national bank notes are variable in amount, but are not controlled by reference to demand, except to a small extent by being held in the banks or loaned freely, and this control operates frequently the reverse of what it should, contracting the volume of money in time of threatened panic when the exact opposite should be done to maintain prices and prevent a panic.

The English system is simpler, consisting of gold coin and Bank of England notes based on coin and bullion deposits, and limited to a fixed amount above such deposits. As this fixed amount has several times been exceeded, in spite of law, in times of panic, and evidently for the bank's profit would crowd it closely at all times, it has little effect as a regulator of prices. The bank, however, appears to control the volume of money to some extent by raising or lowering discount rates in accordance with the flow of gold to or from the country. In short, they pour water into their tank when it is flowing in from others, or draw off some when it is flowing out. Its principle is correct, but its application very limited, and their gauge of demand a very poor one.

If they would control the volume of money with regard to its average purchasing power, and without other limit, instead of

being governed by the flow of gold, the system would be admirable and would regulate, also, the value of money in other gold basis countries. The system of neither country, therefore, answers the requirements, and those of other countries appear no better. A demand for more money, due to growing population and commerce, and occurring simultaneously in all countries causes no perceptible flow of gold from one to another; but unless the supply equals such demand, it brings into increased use as a substitute therefor, various forms of private credit, such as notes, bills of exchange, etc., in volume unknown and uncontrollable. These have the same effect as an increased supply of money, lowering its value and raising prices. This continues for a time,—said to be prosperous,—speculation of all kinds increasing as well as legitimate enterprise, until the bursting of some speculative bubble causes a panic, and the whole structure of private credit falls, prices go down, many are ruined, and a long era of dull times ensues, when commerce is restricted by the scanty supply of legal money. Gradually, returning confidence, joined to the imperative demands of commerce, causes fresh issues of private credit and another cycle begins. Under a proper system, any tendency to either depression or inflation of prices would be at once checked, the effects of over speculation would not spread, and panics and their attendant evils would be unknown. Some argue that it is immaterial whether prices are low or high. So it is if they remain constant. It is the fluctuation that is damaging, as some forms of commodities adjust themselves but slowly to changing prices, and debts do not at all.

Both theory and experience thus teach that it is the quantity of money, not its character, that determines its value. They also teach that no system can maintain its money at a fixed value without constant control of the volume, guided by its average purchasing power as a standard.

If quantity, not character, is the governing factor, why not use that material which is cheapest? Why not use paper altogether? The answer is, we can under above conditions. The fallacy of former advocates of paper money has been the

ignoring of these essential conditions, and the fallacy was so apparent that it blinded people to the merits of paper money. There is certainly no use in accumulating in vaults gold and silver, won by hard toil, as a basis of money, nor in circulating coins of these metals when paper is in every way preferable and absolutely necessary to some extent.

That former experiences with paper money have proven more or less disastrous has been wholly due to excessive issues. The excess was caused by (1) lack of a proper guide as to quantity necessary, and (2) a failure to discriminate between two functions of government that should never be confounded, one as an issuer of money,—the banking function,—the other as a collector and disburser of revenue.

As average purchasing power must be the test of stability of value, average value of commodities should be the unit of value.

We evidently could not make our unit the average of *all* commodities; but a sufficiently large number of the most important could be selected and the average of these would closely approximate the average of all. This plan has been mentioned by several writers on finance, notably, Professor Jevons, in "Money and the Mechanism of Exchange."

Select, say, one hundred commodities of largest use of regularly quoted prices, products of this country preferred, and those not affected by protective duties liable to change, trusts, etc.,—such as wheat, corn, rye, oats, lead, iron, copper, leather, etc. Ascertain from statistics the average amount one dollar would have purchased of each of these for, say, ten years past. Then, by legislative enactment, define the dollar, as the unit of value for this country, to be the hundredth part of the sum of these amounts. (It might be better to give each commodity such weight in the unit as would approximate its total production, instead of taking the equal values of each.) The legislation should repeal former units and pledge the government to maintain such a volume of paper money in circulation as would at all times make the actual purchasing power of a dollar equal this standard.

The notes should be issued by loaning them on approved col-

lateral such as government bonds, other bonds, warehouse receipts (if thought best), etc., at a rate of interest to be determined daily by changes in the purchasing power of a dollar as shown by current market reports. This would absolutely control the volume, as more would be borrowed at a lower rate and less at a higher. The notes should be legal tender for all dues, public and private (except, of course, such as by contract are payable in coin), and could be made redeemable in any of the commodities on which the money was based at its current market value. (This would be unnecessary, but would remove any fanciful objection to an irredeemable currency.) Most of the loans would probably be made through national or other banks as a convenience, but no discrimination should be made in their favor, adequate collateral and varying interest being alone relied upon for control, and these resting with the issuing power.

This is similar to the Bank of England plan but with the improvements of a stable unit of value, and sufficient latitude to make the control effective. It is the "greenback" plan, with the addition of the essential elements which that has lacked. It removes the objection made by many to the national banking system, that the government practically loans to the banks at a lower rate of interest than it will to individuals on the same security.

The interest received on such an issue would go far to offset the interest paid on government bonds, and be as perfect a system of taxation for that purpose as could be desired.

In short, the system would furnish a money that would always have the same purchasing power—therefore honest—and in any amount that might be required.

Fractional currency is of minor importance and the present system could be retained or a cheaper metal than silver substituted if desired.

It only remains to add that such a change of money unit as is here proposed, carried on by this country alone, would have no effect whatever on foreign trade. That would be carried on, as it is now, in the units of any country, as there would continue to be a quoted exchange rate between the different units. Balances

would be settled, as they are now, by transfer of gold, silver, or any commodity most desired by the creditor country at current prices. Such a change of monetary unit, however, would sever the connection that now exists, by reason of a standard based on a common metal, and the country be relieved of the fluctuation of money value due to changes in other countries. The country first adopting this system would have the advantage of being able to unload its stock of gold on other countries before the great depreciation of that metal that would be caused by its partial or entire abandonment as a basis of value. Silver would suffer less, as it is now largely discredited as a money metal.

ARTHUR I. FONDA.



THE POLITICAL ASPECT OF THE WORLD'S COLUMBIAN EXPOSITION: ITS PEACE SIDE.

BY BELVA A. LOCKWOOD.

YEARS of jubilee—occasions for great national rejoicing—have been symbolical of peoples from the earliest times. Among the Hebrews in Palestine every fiftieth year was observed as a jubilee year, during which time all slaves were set free, and parceled lands reverted to their original owners. Boniface VIII., about the year 1300, established a jubilee to be held once in a hundred years, which Clement VI. in 1850 ordered changed to fifty years. There is an old biblical history of jubilees, in which one is mentioned for every fifty years, that claims to be canonical. It was doubtless from this old Hebrew custom that Queen Victoria conceived the idea of a jubilee year to commemorate the fiftieth year of her reign. The popes of Rome have always observed a jubilee once in fifty years.

In more recent years the exposition has become the people's jubilee. The Exposition in Paris in 1867, and again in 1889, in Vienna in 1883; the Centennial in Philadelphia in 1876, commemorating the one hundredth anniversary of our birth as a nation; the Cotton Exposition at New Orleans in 1885, were all commemorative not only of the flight of time, but of stages of progress in manufactures, and in the mechanical arts, as well as in the higher development of the fine and liberal arts.

They have also been occasions in which peoples of different sections of our great country and peoples of different nationalities have come together to compare their products and manufactures, forgetful at the time of all sectional or national differences, in their display of skilled labor, of mechanical art, and of scientific and mental attainments.

It was therefore eminently fitting, that in this four hundredth

year of our history, a milestone should have been placed, a record made, not only in the discovery of this continent by Columbus, but of the great scientific and philosophical discoveries that mark the present epoch; and that there should have been inaugurated the great Exposition at Chicago, just now the wonder of the world; gigantic in conception and multiform in detail, portraying well the exhaustless capabilities of a great nation, and of the nations of the world as well—comparing their arts and industries—meeting for a coöperation of thought and work where each one learns something of the other; and that not the least important feature of this great occasion is the inauguration of the series of world's congresses, that is bringing together consecutively the active, thinking, reformatory minds of the various nationalities to discuss questions of economics, charities, religions, morals, temperance, medicine, music, finance, but above all perhaps a congress for governmental reform, to be followed by a congress on peace and arbitration, one of the principal topics in the latter congress to be not only the necessity for, but the details of, a permanent international court of arbitration, by which all difficulties between nations may be settled without recourse to war. To aid these congresses, a peace bureau has been established on the Exposition grounds in the Department of Liberal Arts.

The condition that makes an international peace congress possible in Chicago in August, 1893, is a strong object lesson indicating that such a court at this stage of the world is feasible and practical, and that the safety of gradual disarmament may be demonstrated to European nations; and the day be not far distant when the burdensome taxations of war now crushing down the laboring classes may be lightened, and the odious war cloud, whose ominous warnings have been so long spread over Europe, may be dispelled, and the juridical state succeed to militarism.

We trust that the impressions made upon the peoples of the world by the discussions of these several congresses, and the widespread effect of the printed reports of their proceedings, may demonstrate even to the Emperor of Germany, that the

recent defeat of the so-called "Army Bill" was a blessing in disguise, not only to the German people at large, but to the Emperor himself; and from which Austria and Italy may learn that the bonds of the Triple Alliance may be dissolved by their own weight, with a marked benefit to their people. That France may learn that it is no longer necessary to keep up a large standing army, and continue to present a warlike front toward Germany. Even revolutions in this age, when they become necessary to relieve the burdens of the people, may be effected without bloodshed, as in the cases of Brazil and Belgium.

We opposed the idea of a military and a naval parade to inaugurate the great Exposition, and the former idea was finally abandoned, because it was impossible to draw from our small standing army of barely 25,000 men, scattered about in the various posts of the country, a sufficient number who could be spared from duty to make a creditable display. The naval parade on the 29th and 30th of April in New York harbor by the war ships of the various European powers, and their officers and men all in friendly converse with our own, without thought of attacking, or fear of being attacked, shows that we are not in danger from foreign foes, and that an extension of seacoast defenses would be a superfluity.

The reception by our government of the Duchess of Veragua and Princess Eulalia, must tend to bind Spain and the United States in more friendly relations, and taken altogether was not a bad thing for the Fair.

The arrival of a large number of titled Germans to view the wonders of the Fair, and of Chicago, will have a similar tendency in engendering a kindly feeling toward our people. As the days and months roll on, the peoples of the world will comingle in that great city of the lakes, and each will feel a more kindly feeling for the other, because they have become acquainted with them—know something of their manners, customs, tastes, and language.

It is an exposition where the ability of a nation to make conquests or marshal armies plays no part, but where mechanical skill, art development, mental culture, and moral training come

to the front. It is the great peace lesson of the age. President Carnot said, after the Exposition of 1889 in Paris, "It has saved a war to France." We will be able to say, I trust, in October, that the great Exposition has dispelled the war cloud of Europe.

That there have been dissensions, jealousies, and cross purposes between the members of the two boards of control; that even the board of lady managers at the opening got very badly tangled up about some matters not fully understood; and that there has been a row about the method of awards among the exhibitors, does not argue that any serious dissensions exist at the World's Fair, or that the great mass of people who go there will not return wiser and better for having gone. Next to a trip on the Continent, it is the best place in the world for wearing off angularities and getting new ideas. These little differences named, are but the normal outcome of a directory with a multiform head,—the effort to adjust, regulate, and assimilate many people with many interests and divers ideas of propriety and right,—and so far as the awards are concerned, an effort to reconcile the ideas of people of different customs and languages with different methods of arriving at the same end. It would have been next to a miracle if everything had been smooth in the outset in so great and varied an undertaking. But these differences have all been harmonized. Even the financial flurry that seemed to threaten for a time the management, and in another instance foreign depositors, has been adjusted.

In its attraction and interest, the hitherto all-absorbing topic of politicians, the tariff, has been forgotten or ignored, and even the silver question would cease to be an issue, did not the present stringency in the money market forbode financial disaster, unless relieved. There is no greater fallacy than the old maxim, "In time of peace prepare for war," unless it be the other one, *Vox populi, vox Dei.*

The Columbian Exposition is a peace convention of the nations of the world, and as such, every well-wisher of the brotherhood of man should take part in it.

BELVA A. LOCKWOOD.

AMOMG THE BOOKS.

A Woman's Philosophy of Love. By Caroline F. Corbin. 12mo, cloth, pp. 302. Boston: Lee & Shepherd. Price, $1.00.

"This book," the author says in the preface, "is the outcome of thirty-five years of thought, study, and experience." It bears the impress of careful preparation, and the style though somewhat flowery for this business-like age, is very good indeed. The first chapters, to the hasty reader of a practical turn of mind, might seem somewhat dreamy—a characteristic commonly dignified by the term poetic. The latter chapters of the book, notably, "A Practical View of Marriage," "Love as a Factor in Civil Government," "The Social Relation of Men and Women," and "The Importance of Race Culture," are more practical, and contain much good advice well told, in addition to some theories that are open to discussion.

Men cannot complain that the author has not treated their sex kindly, for, on the contrary, she does them over much credit. The skillful and complimentary manner in which she lets Adam down for what has been considered his cowardly treatment of Eve, when she was beguiled by the serpent, would do credit to a shrewd criminal lawyer, and is calculated to raise the lord of creation several points in his own estimation; for it had not before occurred even to Dr. Buckley that Adam in charging his disobedience upon Eve did not do it primarily with the idea of shifting his share of the responsibility. But how creditable does Mrs. Corbin make this transaction appear in her efforts to relieve him from the unpleasant and heretofore undeniable charge made from every woman's suffragist's platform—that men have always attempted to saddle the entire responsibility for the first disobedience on poor woman.

The author thus explains the reason for Adam's referring to his companion when asked whether he had partaken of the fruit of the tree of knowledge. That a deep abiding faith in woman, a willingness to be led by her in all matters of faith and morals is a primal and instinctive endowment of the masculine nature, is nowhere more charmingly illustrated than in the reply

of Adam in Eden: "And the Lord said, . . . 'Hast thou eaten of the tree whereof I commanded thee thou shouldst not eat?' The man said, 'The woman whom thou gavest to be with me, she gave me of the tree and I did eat.'"

"This," the author says, "is not the expression of cowardice but of the innocent and naïve belief that anything which this lovely being, fresh from God's hand, proposed must be right, and, right or wrong, must be done. It is a trait which has come down in unbroken continuity of inheritance to the latest born of Adam's sons."

Though this is a very pretty explanation and highly complimentary to man's devotion and gallantry to woman, it will likely be taken with considerable allowance by the many brilliant women who are urging man to grant them a voice in making the laws under which they live and by which they must be governed.

The author has an abiding faith in the race and a firm belief that through the evolution wrought by the power of love we shall reach that ideal high plane which as yet seems a long way off. The book condemns the present industrial system that is taking woman from the home and putting her into the store, office, and factory. In the language of the book:

> Perhaps the most trying incident of the times, so far as our view of it is concerned, is, that the modern woman, with her zeal for intellectual advancement and industrial opportunity, her decrying of the old tasks and lauding of the new, her frantic calling on the universe to witness her equality with man, and her determination to outdo him at his own tasks, betrays so little insight as to the meaning and end of this sudden access of power, this new departure of the woman's soul along the shining paths of evolution. Within the last generation women have indeed become workers in many unaccustomed fields, have shown a hitherto unsuspected fitness for many callings which before that time were supposed to belong exclusively to men. But does this fact alone constitute real progress? It tends, indeed, to individualize the woman, to make her financially independent of man; it has already developed a class of 'girl bachelors' such as the world has never seen before. Does this class lessen by a single unit the great sorrowful army of women whose womanhood is laid a bleeding sacrifice upon the altar of uneducated impulse and false conditions of life? Is it not rather recruited in the main from those who should be, if right conditions prevailed, the pure divinities of happy homes?

The book will well repay a careful perusal on the part of the thoughtful reader, but it is not adapted to those who are in the habit of reading only light literature.



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JOHN SHERMAN AS A "GREAT FINANCIER."

BY J. PRINCE.

THE public interest in the last re-election of Senator Sherman, which was not limited to the state of Ohio, but was manifested to a considerable extent in other parts of the country, undoubtedly arose from the impression that he is something extraordinary as a financial legislator, and that he is and always has been a staunch defender of the doctrine of sound money, as well as being now the special champion of the gold standard, in opposition to the advocates of the free coinage of silver.

It may perhaps surprise some readers to be told that such impression is erroneous. Although in recent years he has taken side with the advocates of the gold basis, he has, on that subject, since he has been in the United States Senate, veered about like a weather-vane. In fact, he may, in nautical phrase, be said to have boxed the compass.

The official records of Congress, as well as his correspondence with a banker, show that instead of having been always a Pharos, shedding a clear, steady light to guide the fiscal navigator on the sea of finance, he has sometimes been like a dim lighthouse afloat and drifting—and which, if it had been followed at one critical time, would have lured the financial land-traveler into a quagmire.

At one time he took substantially the position held by Gen. Benjamin F. Butler, George H. Pendleton, Thaddeus Stevens,

and others—in favor of paying the five-twenty bonds of the United States in greenbacks, then irredeemable paper currency, insisting that it would be lawful to do so; and he assumed this position when there was no call for him to do it upon any ground of public necessity or public policy. He also persisted in adhering to it after its unsoundness and absurdity had been clearly and forcibly shown by several of his able colleagues in the Senate, who cited the express assurances of three secretaries of the treasury, Chase, Fessenden, and McCulloch, and assistant secretaries Harrington and Fields, in circulars and letters from the Department; and, likewise, the circulars of Jay Cooke, the eminent banker, who was employed by the government as its special agent to place the bonds upon the market, that the bonds were payable in coin.

Hon. Robert J. Walker, who had been secretary of the treasury under President Polk, and had conducted the financial operations of the government during the war with Mexico, also strongly opposed the proposition of Mr. Sherman, and considered it a species of repudiation. Mr. Walker, who was a Democrat, and had years before been United States Senator from Mississippi, gave from the first an earnest support to the Union cause during the Civil War; and on account of his large financial experience and acquaintance with foreign bankers and capitalists, he was, by the appointment of President Lincoln, sent to Europe as a confidential agent of the government, to obtain a loan upon United States securities, to aid in carrying on the war to maintain the Union. He gave to all those who thus so materially assisted our country in its extremity, the distinct, emphatic pledge that the said securities would at maturity be paid in gold.

SHERMAN'S EXACT POSITION ON THE SUBJECT.

My assertions I will now prove by the ineffaceable Congressional records of debates taken down *verbatim* by the responsible official short-hand reporters.

The Senate committee of finance, of which Mr. Sherman was chairman, had reported through him a bill authorizing the issue of five per cent bonds, redeemable after ten years at the pleas-

ure of the government, and payable at the expiration of forty years. In these it was expressly provided that principal as well as interest should be paid in coin.

In the discussion of this and kindred topics in January and February of 1868, and also as late in the same year as July 11, he thus expressed himself:

> I have no doubt that the government of the United States has now the right to pay the principal of the five-twenty bonds as they mature or become redeemable, in the lawful money of the United States. The law makes no discrimination in favor of bondholders. The only discrimination made is in regard to interest.—*Congressional Globe*, Vol. LXXXI., p. 3959.

He said his proposition was that "the holder of a greenback shall stand on precisely the same footing as the holder of a bond."

He said also that "the bondholders should be willing to make some sacrifice." But he did not point out what considerations should lead the foreign capitalists who were pursuaded to take the bonds, to "sacrifice" any thing for another country, to which they owed no allegiance, and which had come out of its great struggle victoriously, in part through their aid! Nor did he explain why the thousands of people of limited means in our own country, who had been induced to purchase the securities to sustain the government, should be all at once expected to evince a sacrificial turn of mind!

AN ASTONISHING PROPOSITION.

He suggested that if the holders of the five-twenties, some of which had twenty years to run, should refuse to exchange them at par for the bonds of the new ten-forty loan, which were to bear one per cent less interest, they should be *compelled* to accept final payment of the principal in greenbacks. He said in the Senate that he was ready to vote for such a proposal.

To pay off *all* the five-twenties then running would have required the issue of at least $600,000,000 in non-interest-bearing paper. A law of Congress then in force forbade the issue of any more greenbacks than the amount then in circulation—$400,000,000.

After alluding to this fact, in debate in the Senate, and admitting that this stipulation could not be violated, he went on to say:

> But so fast as this money [irredeemable paper currency] comes into the treasury of the United States, either by taxes or new loans, we have a right to apply those taxes or that money to the payment of the *principal* of the public debt, precisely as we have a right to apply it to the payment of pensions, salaries, or any other expenditure of the government.

He said further:

> My own deliberate judgment is, that we have the right to do it; and that, unless this conversion [of five-twenty sixes into ten-forty fives] is made in a reasonable time by the voluntary action and interest of the bondholders, *that power will be exercised.—Congressional Globe*, Vol. LXXXI., p. 3959.

That is to say, that if the holders of the six per cent bonds did not before long of their own free will surrender them in exchange for bonds of a new issue at one per cent less interest, they would be *coerced* into accepting for them paper currency not bearing *any* interest and not redeemable in anything!

In a speech in Ohio during the state campaign in the autumn of 1891, as I saw by the report of the Associated Press at the time, he thus designated the politically organized branch of the Farmers' Alliance:

> A new party, calling itself the "People's party," which is represented mainly by the disciples of the old greenback fiat money craze.

What else but "fiat money" was the currency in which he proposed to pay the five-twenty bonds, and which he thought the holders should be forced to accept? And was it not something like a "craze" to insist upon such payment at that time, when there was no special need of hurrying, as the government was not obliged by the terms of the bonds to pay them until twenty years after the date of their issue? Did his proposition show any remarkable financial wisdom or discretion?

His utterances in the Senate having awakened apprehension among bankers who were dealing in United States securities, one of them wrote to him, and received the following answer:



UNITED STATES SENATE CHAMBER,
WASHINGTON, MARCH 30, 1868.

DEAR SIR :—I was glad to receive your letter. My personal interests are the same as yours, but I do not intend to be influenced by them. Your idea that we propose to repudiate or violate a promise when we offer to redeem the "principal" in legal tenders, is erroneous. I think the bondholder violates his promise when he refuses to take the same kind of money he paid for the bonds. If the case is to be tested by the law, I am right ; if it is to be tested by Jay Cooke's advertisements, I am wrong. If, under the law, as it stands, the bondholder can demand only the kind of money he paid, then he is a repudiator and extortioner to demand money more valuable than he gave.

Truly yours,
JOHN SHERMAN.

Compare the phraseology of this letter with that of Gen. Butler, Pendleton, and others, who opposed gold payment of the bonds, and it will be seen that his position was substantially the same as theirs. Some of the censure dropped upon their heads should be lodged in his hair.

Replies to Sherman were made by Senator Fessenden, of Maine, who had been secretary of the treasury during the latter part of the war, and Senators Conkling, Edmunds, Corbett, Sumner, and others. Mr. Sumner's speech, which was elaborate and very able, surprised some by its demonstration that he could speak as clearly and convincingly upon a practical as on a sentimental theme. It is printed in full in Vol. LXXXI., pages 3961 to 3966, of the *Congressional Globe*, and is worth reading.

Senator Conkling, of New York, said :

I believe that nothing would be more disastrous, nothing more suicidal to this country, than to advance upon that track which the senator indicates when he talks about exchanging an interest-bearing debt for a currency which bears no interest.—Debate on bill to contract the currency, *Congressional Globe*, Vol. LXXIX., p. 531.

Senator Corbett, of Oregon, said :

With such a proposition I cannot agree. The solemn obligations resting upon me as a senator, and upon the government in this financial struggle, forbid.—*Congressional Globe*, Vol. LXXIX., p. 1809.

The senator from Vermont, Mr. Edmunds, made very able arguments against the position taken by Sherman. In his speeches on the payment of the bonded debt and on the contraction of the currency with a view of returning to specie pay-

ment as early as practicable, he went over the entire ground of the sophistical utterances of the Ohio senator and the similar talk of Butler, Pendleton, and others; and if I am any judge of logical reasoning, he literally used them up. He spoke from the impulse of moral sensibility on the subject. Here are specimens of his force and directness of speech:

I do not at all impugn the motives of the gentlemen who are desirous of having the government adopt this view. They are honorable men. They have, however, I think, done a great wrong to the country.

"They that have done this deed are honorable,
What private griefs they have, alas! I know not,
That made them do it; they are wise and honorable,
And will, no doubt, with reasons answer you."

But that they have inflicted a blow upon the faith the people have in the credit of the government and in the honor of the representatives of the people and the administration, there cannot be any doubt.—*Congressional Globe*, Vol. LXXVIII., p. 42.

EDMUNDS' REBUKE OF A THREAT OF BAD FAITH.

I know it may be said that a new loan can be negotiated a great deal easier if we hold up over the heads of the holders of our present debt a doubt as to the character of the money in which it is to be paid; but I think all *honorable* men would *scorn* resorting to such inducements as that, provided it be true, as I think I can demonstrate, that we owe this debt in real money. Fairness and good faith in the long run, Mr. President, will be found to be the best policy, even of the government as well as of individuals.—*Congressional Globe*, Vol. LXXVIII., p. 25.

Of Sherman's course in the debate he said that he "now seems disposed to pause in the career of well-doing, if not to go the other way."—*Congressional Globe*, Vol. LXXVIII., p. 534.

DECLARATIONS OF TREASURY OFFICIALS WERE UNIFORMLY AGAINST SHERMAN'S POSITION.

Secretary Salmon P. Chase said, over his own name, May 18, 1864: "These bonds (six per cent five-twenties), according to the usage of the government, are payable in gold."

Assistant Secretary George Harrington wrote, on May 26, 1864, to Samuel H. Walley, President of Revere Bank, Boston, that the five-twenties were all so payable.

The immediate successor to Mr. Chase as head of the Treasury Department, Hon. Wm. Pitt Fessenden, in his annual report to Congress in December, 1864, said:

Though forced to resort to the issue of paper for the time, the idea of a specie basis was not lost sight of, as the payment of interest on long loans was amply secured. And though in several of the acts authorizing the issue of bonds at long periods, payment of the principal at maturity in coin is not specifically provided, the omission, it is believed, was accidental, as there could have been no intention to make a distinction between the different classes of securities in this regard.

Secretary McCulloch's declaration :

TREASURY DEPARTMENT, }
November 15, 1866. }

I recognize, as did also my predecessors, *all* bonds of the United States as payable in coin. The bonds which have matured since the suspension of specie payments have been so paid, and I have no doubt the same will be true with all others.

HUGH MCCULLOCH, Secretary.

Hon. Samuel Hooper, the Massachusetts congressman, who was regarded as a sound and able financier, and who was chairman of the House committee of finance, wrote to Secretary Chase, May 18, 1864, that it was deemed unnecessary when the five-twenty act was passed to insert the word coin, "because it was understood that coin or its equivalent was meant, and at the time *no other interpretation was thought of.*"

Jay Cooke, the banker who originally placed the war loans on the market, in a letter to Senator Corbett [*Congressional Globe*, Vol. LXXIX., p. 1811] completely routed Sherman from his illogical entrenchment. Here is what he said :

The bonds were offered directly to the people and sold to them at prices which could not possibly have been obtained but for the distinct understanding that they were payable, principal and interest, in coin.

That this was the spirit and intent of the authorizing act, it is only necessary to refer to the sinking fund clause (Sec. 5, Act of February 25, 1862) which specifically appropriates the *coin duties on imports* to, first, payment of interest on the public debt ; second, to a *sinking fund* for the payment of principal. All of the *funded* debt of the United States that has heretofore matured has been paid in coin, notwithstanding the fact that the authorizing act did not so specify in words ; and three of such loans have matured and been paid in coin *since the issue* of the five-twenties in 1862.

This argumentative reference to the setting aside of a portion of the duties collectable at the custom-houses in *gold only*, was a settler ; for what sense would there be in reserving the amounts

so collected from time to time as a fund for the ultimate payment of the principal, if it could all be paid earlier in depreciated paper?

In his speech of March 11, 1868, in reply to Sherman, Senator Corbett introduced a letter from the banker Cooke, the special agent of the government for the sale of the bonds. The extract from it given below is an overwhelming disproval of the assertions indulged in at one time about "bloated bondholders." It appears that a very large majority of the purchasers were of the middle classes and common people, who thus placed their small savings at interest because of their confidence in the security. These were among those (and a larger portion of them) of whom Sherman had said in the Senate that "they should be willing to make some sacrifice."

The following statement shows the number and amount of notes of each denomination embraced in the issue of the seven-thirty treasury notes, which are now being converted by the treasury into five-twenty bonds. In these conversions the treasury has never been able to supply enough small bonds to adequately meet the demand:

No. of bonds sold.	*Denominations.*	*Amounts received from sales.*
962,580	50s	$ 48,129,000
1,474,940	100s	147,494,000
436,792	500s	219,896,000
370,376	1,000s	370,376,000
8,821	5,000s	44,105,000
3,256,500		$630,000,000

These figures will give an approximate idea of the amount in which all of the five-twenty bonds of the government are held.

They show that *one half* of the loan in amount was taken in fifties, hundreds, and five hundreds; and further, that as 2,877,313 pieces of these three denominations were issued against 371,197 pieces of the larger denominations, *the capitalists* are in a very small minority; and any legislation repudiating, in whole or in part, the obligation of the bonds of the government, would fall most severely upon *widows, orphans, and people of small capital*, who invested their money in those securities in perfect reliance upon the representations made to them by the treasury department, directly and through its agents, at the time of their issue.—*Congressional Globe*, Vol. LXXIX.

Senator Corbett, in the same speech in which he cited the foregoing, said:

I am informed by gentlemen living in the eighth district of Massa-



chusetts that it is perfectly surprising to see how many of the mechanics, laboring men, servants, widows, and representatives of orphans, call at the banks to get their coupons cashed every six months.

In the course of a debate in the Senate on this subject in 1868, there was read an account given by the banker Cooke of one of his discouraging experiences, as follows:

During the darkest days of the war, when I was striving to raise funds for the payment of our armies and the supplies needed, by the sale of the five-twenty loan at that critical period, Thaddeus Stevens deliberately arose in his seat in Congress and introduced a bill providing for the payment of our debt, principal and interest, in currency. The result of the introduction of this bill was for the moment deplorable. The news flew like wildfire, sales of the loan were suspended, and many threw their bonds upon the market; and although the project was at once disavowed by the secretary of the treasury [Mr. Chase] and by Congress, yet the mischief was done. I, as the agent of the government, was put to an enormous expense, and weeks of delay occurred in the payment of vouchers and for the services of the army.—*Congressional Globe*, Vol. LXXVIII., p. 42.

We cannot pronounce infallibly upon any man's motives, because we cannot look into the recesses of his mind; and we can therefore do only as the signal service employees are wont to do at the weather bureau—that is, judge from indications and probabilities.

George H. Pendleton was then a member of Congress from Ohio. He was very pertinacious in promulgating the idea of greenback payment of the bonds, and it is not improbable that in this particular he may have had then a considerable following in that state. He was personally popular, as had been manifested by his nomination by his party for the vice presidency on the ticket with Gen. McClellan. Some years later he was strong enough in the state to be elected to the United States Senate, thus becoming Sherman's colleague and rival sharer of state honors, and so continued until his appointment as minister to Germany, where he died. As it was probably not certainly known when he was in the House how prevalent in Ohio the greenback payment phantasy might be, even among some of the Republicans, is it not possible that Mr. Sherman may have considered it policy not only to keep pace with him in that track,

but to outrun him? I assert nothing on this point, but merely ask the question.

Whatever may have been the fact in this respect, Sherman suddenly changed his attitude, under the following circumstances: Time passed on; Gen. Grant was elected president of the United States in November, 1868, about seven months after the date of Sherman's greenback letter to a New York banker, who is said to have been a Mr. Mann; and on the 4th of March, 1869, in his inaugural address the new president spoke as follows upon the public debt, which Sherman, Pendleton, and some others had insisted could be paid in paper currency:

> A great debt has been contracted in securing to us and our posterity the Union. The payment of this, *principal* and interest, as well as a return to a specie basis, as soon as it can be accomplished without material detriment to the debtor class or to the country at large, must be provided for. To protect the national honor, *every dollar* of government indebtedness should be *paid in gold*, unless otherwise *expressly stipulated* in the contract. Let it be understood that *no repudiator* of one farthing of our public debt will be *trusted in public place*, and it will go far toward strengthening a credit which ought to be the best in the world, and will ultimately enable us to replace the debt with bonds bearing less interest than we now pay. [See official files of executive documents, as well as *Congressional Globe*, Vol. LXXXVII., first session of Forty-first Congress.]

He gave no uncertain sound; and in thus promptly placing his administration unmistakably on the side of financial integrity and honor, he rendered a service in the cabinet not less conspicuous and valuable than he had before rendered in the field.

On the 9th of March, 1869, five days after the delivery of Grant's inaugural, Senator George H. Williams, of Oregon, reported from the committee of finance a bill entitled "An Act to Strengthen the Public Credit." (See *Congressional Globe, ibidem*, p. 31.) The first section read as follows:

> In order to remove any doubt as to the purpose of the government to discharge all just obligations to the public creditors, and to settle conflicting questions and interpretations of the laws by virtue of which such obligations have been contracted, it is hereby provided that the faith of the United States is solemnly pledged to the *payment in coin* or its equivalent of all the obligations of the United States not bearing interest, known as United States notes, and of all the interest-bearing obligations of the United States, except in cases where the law author-

izing the issue of any such obligation has expressly provided that the same may be paid in lawful money or other currency than gold and silver.

March 15, Senator Garrett Davis, of Kentucky, introduced the following amendment, which he supported in an elaborate speech :

> To strike out all after the enacting clause, and substitute these words : That the just and equitable measure of the obligations of the United States upon their outstanding bonds, which were issued and sold as a means of borrowing money, is the value at the time in gold and silver coin of the paper currency advanced and paid to the government on these bonds.—*Congressional Globe, ibid.*, p. 67.

This amendment the Senate by a very decisive vote refused to adopt. It was in essence and principle the same as Sherman's proposition some months before, and in accord with his letter to a New York banker.

The bill, without amendment, passed the Senate by a vote of 42 yeas to 13 nays, *Sherman voting for it.*

Did the passage I have cited from Grant's inaugural operate upon Sherman's mind as a powerful persuader? He turned right-about-face, and voted that the correct interpretation of the law was *directly opposite* to that which he had insisted was a proper construction of it. He was not then voting on a new bond act with an express provision for coin payment, but on what was the correct rendering of a former act.

As one of the two senators from Ohio, he would, according to the usual partisan custom of that time, expect to have advisory control of one half of the federal "patronage" apportioned to that state. Grant's language, "no repudiator of one farthing of our public debt will be trusted in public place," had an inferentially ominous import for any place-seeker who should continue to advocate (as we have seen that Mr. Sherman had done) that the bonds could be paid in depreciated paper, and that the holders of them could be *forced* to accept it if they refused to surrender them in exchange for a new issue at one per cent lower rate of interest.

When he was secretary of the treasury under President Hayes, eight years and more after the question of gold payment had

been considered as definitely settled, he again showed signs of whiffling.

The late Hon. Henry F. French, who was the first president of the Massachusetts Agricultural College, was one of the assistant secretaries of the treasury under Sherman; and in the latter's temporary absence, he gave out, in response to inquiries, what he knew to be the law, and what he understood to be also the settled ruling of the department in relation to the public debt—not supposing for a moment that his official superior would call it in question. He was therefore surprised at being derisively alluded to by him, as shown by the regular Washington correspondent of the New York *Tribune* (in that paper of June 15, 1877), who, in his customary round of news-gathering, had called upon Secretary Sherman, and thus reported his interview:

THE FOUR PER CENTS.

PAYABLE IN COIN OF THE STANDARD OF 1870—PROSPECTUS OF THE LOAN.

WASHINGTON, June 14.—A few days ago Assistant Secretary French of the treasury department gave to the press, over his official signature, an opinion stated concisely in argumentative form, that four and a half and four per cent bonds were payable, principal and interest, in gold coin only.

The form of this letter gave it all the appearance of official authority. Secretary Sherman says to-day that the letter expressed merely the *private views of Judge French*, and should not be taken as in *any sense* an authoritative statement of the position held by the department. The secretary added, with a good-humored laugh, that the letter with its five or six points reminded him of Luther's theses.

In this connection it is of interest to see the exact wording of the contract on the face of the bonds. It reads as follows: "Redeemable at the pleasure of the United States after first September, A. D. 1891, in coin of the standard value of the United States on said July 14, 1870. With interest in such coin." At the time of the passage of the act silver was a legal tender. The demonetization law did not pass until three years later.—[New York *Tribune* correspondent's letter.]

The friends of Mr. French complained at the time that he was not fairly treated by Mr. Sherman in his conversation with the *Tribune* interviewer. He had done nothing amiss, but had merely declared what the bonds themselves said.

Note the words cited in the *Tribune*, which the four and four

and one half bonds bore upon their face. Is there any ambiguity in the language? It is true that the word "coin" only is used, without specifying whether of gold or silver. But as the *interest* on all the bonds of the government had always been paid in gold and the holders were never even asked to take anything else, did not the phrase "*such* coin" clearly imply that the bonds themselves, when "redeemable," would be paid in gold or its equivalent? Scan the words closely, and see if anything else can reasonably be inferred from them:

> Redeemable at the pleasure of the United States after first September, 1891, in coin of the standard value of the United States on said July 14, 1870. With interest in such coin.

It is a significant circumstance that it was *immediately after talking with Mr. Sherman* that the correspondent wrote for the *Tribune* his allusion to the fact that silver had not been demonetized at the date of the issue of the bonds mentioned. Had Sherman called his attention to that fact?

After Sherman left the Senate for a seat in Hayes' cabinet, Stanley Mathews was chosen as his successor. Six months after the date of the *Tribune* correspondent's interview with the secretary, Mr. Mathews introduced in the Senate (December, 1877) a resolution declaring that all the bonds of the United States were payable, at the option of the government, in silver dollars. (See *Congressional Record*, Vol. VII., part I., p. 561.)

Is it not possible that Mr. Sherman, in prophetic anticipation, was looking toward that method of redeeming the bonds, when he told the man of the *Tribune* that Assistant Secretary French's declaration that gold was to be paid was not to be considered as "in *any* sense" the authorized decision of the Treasury Department? Would it have been a more surprising feat for him to thus jump from gold to silver than previously to have jumped from greenbacks to gold, as we have seen that he did, after President Grant delivered his first inaugural?

SHERMAN NOT THE AUTHOR OF THE LEGAL TENDER ACT.

A singular article, with a picture of Mr. Sherman at its head, and entitled "Senator Sherman, the Great Financier," appeared in a Pennsylvania paper in 1882, in which was this statement:

The making treasury notes a legal tender in 1862 was mainly due to *him* and Salmon P. Chase.—*Monongahela Valley Republican*, Feb. 9, 1882.

The official records of Congress show that some time before Sherman took any action whatever upon this subject either by voice or vote in the Senate, Hon. Elbridge G. Spaulding, member of Congress from the state of New York, introduced in the House of Representatives, Jan. 22, 1862, the bill which finally became a law, making United States notes a legal tender for payment of all debts, public and private. Before its final enactment in both branches a clause was added requiring that customs dues and interest on United States bonds should be paid in coin.

The measure at first encountered strong opposition from prominent men of both political parties, but it was vigorously sustained by Mr. Spaulding through all the animated debates that ensued. He said:

We were never in greater peril than at this moment. It will require all our best energies to successfully meet the crisis through which we are passing. The bill before us is a war measure—a measure of *necessity*, and not of choice—presented by the committee of ways and means to meet the most pressing demands upon the treasury to sustain the army and navy. These are extraordinary times, and extraordinary measures must be resorted to in order to save our government and preserve our nationality.—*Gongressional Globe*, Vol. LVII., p. 435.

On February 3, 1862, Mr. Spaulding arose and said:

I desire to call the attention of the House to a letter which I have just received from the secretary of the treasury. It is a note to me urging the immediate passage of this bill without further delay. For the purpose of letting the House understand the necessities of the treasury, I ask the clerk to read an extract from this letter.

The clerk read as follows:

Immediate action of great importance. The treasury is nearly empty. I have been obliged to draw for the last installment of the November loan. So soon as it is paid, I fear the banks generally will refuse to receive the United States notes unless made a legal tender. You will see the necessity of urging the bill without more delay.

S. P. CHASE.

The name of Sherman is not coupled with that of Chase in the *Congressional Globe's* official reports of proceedings in relation

to this subject. There is no record of his having had read in the Senate any communication from the secretary, though he was probably consulted by him early and acted promptly and efficiently. He reported from the finance committee some amendments to the Spaulding bill when it came from the House, and earnestly supported it, as did twenty-nine other senators—the vote on its passage being thirty yeas and seven nays.

All who sustained the measure are entitled to a share of the credit. If any one more than another should be exceptionally mentioned, it would be as proper to say of Representative Spaulding as of any other congressman, that the passage of the act was "due to *him* and Salmon P. Chase."

The notion somewhat prevalent that the resumption of specie payment of United States treasury notes, which was begun on Jan. 1, 1879, was a great *feat* accomplished by John Sherman, and reflecting great honor and renown upon him as a person of remarkable financial sagacity and capability, is wholly preposterous. It has not a particle of foundation in fact. He did nothing towards it but what was entirely perfunctory. He merely complied with the letter of the resumption law passed by Congress *four years before*, on Jan. 14, 1875, which made it obligatory upon the person who should happen to be at the head of the Treasury Department on and after Jan. 1, 1879, to order the payment at that time. Neither he nor any other secretary would have dared to disobey it. He had just about as much to do with bringing about specie resumption by his personal and merely formal direction, as a person who drops a nickel into a slot in a box or case containing one of Edison's phonographs has to do with the reproduction of the sounds from the moving and vibrating cylinder. He had been secretary about one year and ten months when the resumption was begun. It would have occurred exactly the same if any other man had been secretary, whether a Republican or a Democrat. Two preceding secretaries, Benjamin H. Bristow and Lot M. Morrill, covering the previous half of the four years' probationary interval prescribed in the resumption law, had shared in whatever preliminaries or preparations were required by that act. Whatever special

merit there may have been in routine preparatory action which was all specified in the law of 1875, one half of it should be accorded to those two predecessors.

Another fact is, I presume, not generally known, and that is that resumption was effected pursuant to a plan which Sherman himself did not approve. This he acknowledged in a speech in the Senate when he reported the resumption bill, in accordance with the instructions of the finance committee, of which he was chairman. He had suggested another and different method, which he thus includes in his enumeration of various proposals:

> The second plan that I have favored myself often, and would favor now *if I had my own way*, and had *no other opinion to consult but my own*, is the plan of converting United States notes into a bond that would gradually appreciate our notes to par in gold.—*Congressional Record*, Vol. III., p. 195.

The committee would not adopt his idea, but voted for the other and different plan under which specie resumption finally took place. Sherman, during the debate on the subject, thus styled it:

> A plan of a graduated scale for resumption in coin or bullion. It is what I call the English plan.—*Congressional Record, ibid.*

In explaining the bill, on reporting it from the committee, he said:

> I have been compelled to *surrender my ideas*, to accomplish a good object without using means that have been held objectionable by many senators.—*Congressional Record, ibid.*

He thus frankly admitted that he was not the author of the resumption law. To speak of him as the *father* of that measure would therefore be simply to show an utter ignorance of the facts in the case.

The act provided that resumption should take place January 1, 1879, four years after its passage. This was in accordance with the precedent of the Bank of England, which after a suspension of specie payment provided in 1819 for a resumption four years later, in 1823.

Yet the article in the *Monongahela Valley Republican*, to which I have previously referred, says concerning Mr. Sherman:

The resumption of specie payments was the leading triumph of *his* financial policy.

But, according to his own declaration, it was the culmination of the "financial policy" of somebody else.

The fact is, that in one sense specie payment resumed itself.

Horace Greely had said years before, "The way to resume is to resume." It would be the acme of self-sufficient conceit for any one man to assume that *he* more than all others achieved the desired consummation. Business communities throughout the country were ready for it, and it came naturally and smoothly.

George William Curtis, in a just and impartial editorial in *Harper's Weekly*, of January 25, 1879, said of resumption and Sherman:

> Undoubtedly it is a result *not due to him alone*, nor to any man. It is due to the sound public opinion which has not wavered during the most prolonged trial of individual activity, and which has not been misled by the most ingenious sophistries.

The New York *Tribune* also, at a later date, said it was not entirely attributable to the secretary, and added this remark:

> The circumstances have been peculiarly favorable. The condition of the money-market, both in this country and abroad, has been altogether unusual.

Similar expressions of opinion appeared in various other public journals throughout the country.

Accepting United States notes for import dues was not original with Sherman. A while after resumption of specie payment in 1879, Secretary Sherman gave orders that it be optional with importers to pay customs dues in coin or United States notes, thus relieving them of the necessity of procuring specie for that purpose. This was spoken of at the time as something remarkable in the way of a liberal and accommodating administration of the revenue laws and as an opportune and happy thought of his. He did not, however, originate that idea.

Judge Thurman, when his colleague in the Senate, four years previous, offered an amendment to the specie resumption act, to authorize the reception of these notes for tariff duties. And another Democratic senator, Hon. L. V. Bogy, of Missouri, offered an additional amendment, enlarging the scope of that

provision. Mr. Thurman's proposal was to add to the bill the following :

Section 4.—That from and after June 30, 1875, one twentieth part of the customs duties shall be payable in United States legal tender notes or in national bank notes, and after June 30, 1876, one tenth, and after June 30, 1877, one fifth may be so paid.

Mr. Bogy moved to amend Mr. Thurman's amendment so as to read thus :

On and after the first day of July, 1875, duties on imports may be paid in legal tender notes or coin at the option of the importer.—*Congressional Record*, Vol. III., Forty-third Congress, second session.

Mr. Sherman voted *against* both of these propositions. (See page 203 of the same volume of the *Record*.)

So Mr. Sherman cannot claim the parentage of the idea of accepting legal tender notes for tariff dues. What special credit, therefore, was he entitled to for merely adopting it four years after it had been submitted by two other men, whose suggestion he at the time opposed?

He at one time tried to compel the national banks to take new bonds at a reduced rate of interest. Early in 1870, he reported to the Senate from the committee on finance, a bill providing for the issue of a series of new bonds to the amount of $1,200,000,000, bearing interest at three different rates, viz. : $400,000,000 at five per cent, $400,000,000 at four and one half per cent, and $400,000,000 at four per cent.

Section 8 of the bill contained this provision :

On and after the first day of October, 1870, registered bonds of any denomination not less than $1,000, issued under the provisions of this act, and *no others*, shall be deposited with the treasurer of the United States as security for the notes issued to national banking associations for circulation, within one year from the date of the passage of this act : in default of which their right to issue notes for circulation shall be forfeited.

The same section provided also as follows :

Not more than one third of the bonds deposited by any bank as such security shall be of *either* of the classes of bonds hereby authorized on which the maximum rate of interest is fixed at four and one half or five per cent per annum.—*Congressional Globe*, Vol. LXXXIX., p. 1587, Senate proceedings of Feb. 28, 1870.

This section, it will be observed, would have compelled the national banks to purchase equal portions of the three different classes of bonds of this proposed new loan. They would be obliged to take at least one third at the *lowest* rate of interest.

Senator Corbett, of Oregon, objected to making it *obligatory* on the banks to deposit securities at a lower rate of interest than those already deposited. He moved to substitute the word "authorized" for "required."

Senator Buckingham, of Connecticut, said :

> The government has no moral right to take direct measures to diminish the value of national obligations, or to demand of the holders that they accept a less amount of either interest or principal than the government has promised to pay.—*Congressional Globe*, Vol. LXXXIX., p. 1826.

Senator Sherman said he thought the national banks should submit to a reduction of interest on the bonds held by them.

Senator Buckingham said he considered this to be repudiation. (*Globe, ibidem.*)

Sherman said in reply :

> No injustice is done to these banks. The right to amend the banking law was carefully reserved. Many changes have been made from time to time, and many changes must be made in the future. The right to require them to change their securities is expressly reserved. They can be required to change the *amount* of securities now held by them.
>
> Now what is the hardship complained of? We are about to negotiate our bonds at par in gold, bearing an interest at five per cent.
>
> Sir, national banks would be very unwise to make an issue on this question. What do they lose by taking one third of these bonds at five per cent, another at four and one half, and another at four per cent? Is that a hardship? I think not.—*Globe*, same vol. and page.

The bill passed the Senate but was amended in the House by striking out all that related to the national banks. The Senate, pursuant to the recommendation of a committee of conference, receded from its previous action and agreed to the House amendment, and the bill was approved by President Grant July 14, 1870.

Sherman was emphatic in his displeasure at the exclusion of the bank restrictions. He said :

> The vote of the House *shows the power of the national banks.* It is so

great, at least in the House, that in order to secure a funding bill we have been obliged to abandon all provisions in regard to the banks; but I give notice that in the future I for one shall be prepared to *require* them to take the class of bonds we propose in this bill, and I have no doubt this will be the result. But for the present, in deference to the wishes of the House, we have withdrawn that section.—*Congressional Globe*, Vol. XCIII., p. 5532.

He seemed to have undergone a great change on the subject after leaving the Senate for a position involving some official relation to all the national banking institutions. While he was secretary of the treasury—the head of the fiscal department of the government, and the constitutional adviser of the executive on financial measures—President Hayes vetoed a bill passed by the votes of members of both parties in Congress, authorizing an issue of new United States bonds at three per cent interest. Did not Sherman stand coolly by and see him stab that measure without a word of protest that we ever heard of? If he did not himself write the veto message, it is reasonable to believe that he must have been consulted on a question of such importance. Are we not, therefore, warranted in the conclusion that the veto of Hayes was also the veto of Sherman? [See veto message of March 3, 1881, p. 2433, Vol. XI. *Congressional Record*. Also Appleton's *Annual Cyclopædia* for 1881, article "Congress."]

Now let us see precisely on what ground the bill was vetoed. Hayes' objection to it was that it restricted the national banks too much by requiring them in the future to deposit as security for their circulating notes, none other than the three per cents provided for in this bill; which he represented would cripple the existing banks, tend to hinder the establishment of new ones, and unfavorably affect the permanency of the national banking system.

Yet this very bill was in some respects more liberal toward the banks than the measure which Mr. Sherman, when in the Senate some years before, had tried to push through Congress, to oblige them to take bonds at reduced interest, and to allow them to issue in currency notes only eighty per cent on their capital, instead of ninety per cent, as allowed under previous loan bills!

How shall we account for this apparently diametrical change of attitude? Was it not about equal to the previous financial somersaults which I have shown that he made?

In an able speech in favor of the three per cent bill (which Hayes killed by his veto), John G. Carlisle, the distinguished representative from Kentucky, who was afterwards Speaker of the House and United States senator, and is now secretary of the treasury, submitted the following statement, based upon official returns made by the banks as required by law:

> In the ten and a half years from March 1, 1870, to September 1, 1880, including the whole period of financial distress in the country, which began in September, 1873, the average annual earnings of all the national banks in the United States (numbering 1,421 banks at the commencement of the period, and 2,072 at its close) amounted to 8.4 (eight and four tenths) per cent upon their entire capital and surplus. This surplus represented net accumulated gains over and above all taxes, expenses, and dividends.—Appleton's *Annual Cyclopædia* for 1881, pp. 168-9. Also the official record of the Forty-sixth Congress.

In the entire absence of any record to the contrary, the secretary would appear in unison with his executive chief, President Hayes, as if having all at once a strong sympathy for the national banks, lest their profits should be too much reduced by taking bonds with lower interest.

This was the same man who, as will be recollected, had at one time said in the Senate (July 11, 1868) that "the holders of bonds should be willing to make some sacrifice"; and who was, eleven months later, claimed as champion of a three per cent loan!

In the article highly eulogistic of him, entitled "Senator Sherman, the Great Financier," in the *Monongahela Valley Republican*, of February 9, 1882, published at Monongahela City, Pa., to which I have twice herein before alluded, occurred the following language:

> Shall or shall not the public debt be refunded at a lower than the present rate of interest? *Senator Sherman thinks it should be refunded at three per cent*, which view of a great question is opposed by those who would legislate for the payment of the debt, and consequently do all they can do to *defeat any scheme* which tends to defer said payment.

This represents him in a position decidedly different from the

one he had occupied practically within less than one year before, at the time of Hayes' veto.

Who was the author of the words just quoted, or where they were written, I do not know; but the entire article, which contains minute details of Mr. Sherman's life from his birth, seems as if designed as an *avant-coureur* of a presidential boom.

Here is a fair question to ask, in this connection: Why did not Mr. Sherman show himself favorable to a reduction of interest to three per cent, by counseling the president to *approve* instead of vetoing the bill to that effect, which had successfully gone through Congress? His successor, Secretary Windom, made an effort in that direction, on his own responsibility, to induce the holders of matured six per cents to accept a three per cent new bond, conditioned upon the exchange being subsequently ratified by Congress.

Did Sherman ever lift a finger during his four years' secretaryship of the treasury, to negotiate or to urge the adoption of a three per cent loan?

Sherman's sale of four per cent bonds while he was at the head of the Treasury Department, required no special capability, and was not in any sense a great financial achievement on his part. It was merely carrying out the provisions of an act of Congress which specified all the details of the number and denomination of the bonds, the term of years for which they were to run, and the amount to which the entire issue should be limited. When offered for sale in the open market, they were readily taken because of the confidence of the people in the stability and good faith of the government which guaranteed the safety of the investment.

All that he did was as easy and simple as for any trader who has received goods on a large scale, to advertise and sell them either in job lots or at retail. The time was also very auspicious for placing such a loan. It was during that period of business depression throughout the country which continued for several years after the financial panic of 1873. Money was not just then in quick demand in manufacturing or other industries, even at a moderate rate of interest. These circumstances aided

greatly in the prompt disposal of the bonds. They were desired by the national banks as the basis of their circulating notes, as well as by men of large means for investment; and were eagerly sought by the middling interest and common people in large numbers, as was shown, day after day, by the long lines of people standing patiently in single file, in which I joined, extending far out into the street, waiting for their turn at the counters where the bonds were delivered at the United States Treasury building in Washington and at the offices in the various cities where the sub-treasuries are located.

The loan virtually placed itself. Sherman had no such task as had Jay Cooke, the banker, early in the Civil War, especially during periods of military disaster and discouragement, when birds of ill-omen to dissuade people from buying the bonds croaked out the prediction that they would never be redeemed. When Sherman became secretary of the treasury the war had been over more than twelve years, and nobody raised a question of the entire solvency of the government, or that its obligations would all be fulfilled to the letter.

SHERMAN'S LATEST CHANGE OF POSITION.

The last silver coinage law, still on the Congressional statute book, was enacted in July, 1890. It passed the Senate on the 10th of that month, by a vote of 39 yeas to 26 nays, Sherman voting for it. (*Congressional Record*, Vol. XXI., p. 7109.) It has been commonly called "the Sherman silver law," because it was reported to the Senate by him as chairman of a committee of conference on a disagreement of the two Houses upon a previous bill. The other members of that committee were Senator Jones of Nevada and Representatives Conger of Iowa and Walker of Massachusetts.

The bill provides that the secretary of the treasury shall purchase silver bullion from time to time, not exceeding 4,500,000 ounces per month, or so much as may be offered each month at the market price, and that he shall issue treasury notes in payment for such bullion; and further, that "he shall each month coin 2,000,000 ounces of the silver bullion purchased under the provisions of this act into standard silver dollars until the first

day of July, 1891, and after that time he shall coin so much as may be necessary to provide for the redemption of the treasury notes herein provided for."

SHERMAN NOW OPPOSED TO THAT LAW.

In a little less than a year and eleven months after voting for the act, Mr. Sherman, like Daniel Rice, the acrobatic minstrel, "wheeled about and turned about," and on May 31 and June 1, 1892, made an elaborate anti-silver speech in the Senate, speaking as follows of the measure he had supported on its passage:

> There are possibilities in the future in regard to that law, miscalled the Sherman law, which make me as anxious for its repeal as I was reluctant to pass it.—*Congressional Record* of June 2, 1892, Vol. XXIII., No. 134, p. 5395.

If he is really a profound, sagacious, astute financier, why did he not foresee those "possibilities"? With all his experience, is he a very sharply discerning man—a none-such in the philosophy of finance?

He seems anxious to disclaim the paternity of the act, saying it is "miscalled the Sherman law." And yet he is as much responsible for it as any other senator who voted in its favor. In fact, he is somewhat more responsible for it, because he presented the committee's recommendatory report, to which he agreed.

In his speech of May and June, 1892, he said: "Silver money alone is too heavy to use in actual circulation." I suppose he must here have reference to wholesale transactions, involving in each instance the payment of a large sum at one time. The same objection could be made proportionally to gold. The sum of $5,000 in gold coin of the United States weighs eighteen pounds. We should need a strong gripsack to hold that quantity of the precious metal, and it would be burdensome to carry it any distance. How many people would think of carrying gold about constantly, even in the moderate amount of $100? How many of the common people ever handle or ever *see* any gold in circulation in the ordinary course of buying and selling? Payment of any considerable sum is made in bank-notes, greenbacks, or coin certificates, or by check or draft.

As for retail transactions, does not everybody know that "silver money alone" is in use every day among more than sixty millions of people through the length and breadth of the United States. The people carry it in their pockets daily and nightly to the markets and stores, and on railway trains running day and night all over the country, and on steamers and ferry boats, and for admission to public entertainments of all kinds, and for the various conveniences and commodities of everyday existence. Certainly the amount requisite for these purposes is not felt to be a burden. The objection on the score of weight merely seems trivial when considered as part of a sober argument against the general use of silver as money, whatever might be said pro or con upon the question of unlimited coinage.

SHERMAN NOW FAVORING THE ABOLISHMENT OF NATIONAL BANKS.

In his recent speech he announces himself as opposed to the continuance of the national banking system, looking to its final extinction at the maturity of the outstanding bonds now held as security for the bank notes. This is a radical change from his attitude of acquiescence in Hayes' veto of a small interest loan bill, because it might *jeopardize the permanency* of the excellent system of national banking!

Does he desire to go back to the old fluctuating system of state banks, or is he merely throwing a sop to the Greenback party by holding forth a plan for the Federal government to issue all the paper currency of the country?

We may give Mr. Sherman *carte blanche* as to the credit he may be entitled to as a public official, without likening him to Alexander Hamilton, as some superficial persons have absurdly done.

Between these two men and their times there is no parallel. Sherman, when at the head of the fiscal department, had behind him a great and powerful nation, with abundant resources. He had little to do but let the machine men run it as it had been running before. He hardly needed even to oil its bearings.

When Hamilton took charge of the treasury of the incipient

republic under its first president, he was without precedent for his guidance. The thirteen colonies had emerged from the seven years' war of the Revolution in an impoverished and well-nigh exhausted condition. The entire population was less than 4,000,000. The debt incurred in gaining their independence, though it would be to this country now a mere *bagatelle*, was to them a staggering burden. They had no settled financial system or policy, and no aid from any established banking institutions. Every thing was to be done *de novo*. But with his creative intellect he proved to be sufficient for the situation. He saw that if the new government was to maintain its self-respect as an independent power among the nations of the earth, and be recognized and respected abroad, where it was still indebted to a large amount in addition to what it owed its own people at home, it must, first of all, establish a reputation for honesty. It must settle satisfactorily with its creditors, and not try to shirk its obligations and play the dead-beat. He, therefore, amid great difficulties and perplexities, formulated a plan of adjustment, the best he could devise under the circumstances—all payments to be made in real money. He did not propose to liquidate any portion of the national indebtedness with depreciated continental paper currency.

He thus inparted vitality and strength to the new nation. As Daniel Webster so magnificently said of him, "He touched the dead corpse of the public credit, and it rose to its feet."

Hamilton was of the highest class of great and able men of this or any other people.

John Sherman, while not endowed with that indefinable element or quality of the intellect which is termed genius, is a person of respectable talents, which in public place he has duly exercised. Of concentrated, industrious application, his career, particularly in some directions, has been publicly beneficial, as well as advantageous to himself.

But in what sense is he entitled to be called a "great" financier? When did he ever invent, devise, or originally formulate any great, distinctive measure of financial legislation or administration? While propounding this query, it is not denied

that he has at times vigorously advocated and sustained successful measures, some of them drafted and reported by himself, usually from previously existing plans and models.

Hamilton was uniform, consistent, and steadfast in his aims and methods, but Sherman has several times changed his course of action on financial subjects, as I have proved. If in a presidential race he should travel on his financial record, he would unavoidably go zig-zag.

In the Scottish highlands there is sometimes seen a spectral image on a light cloud near the top and along the side of a mountain—a huge, gigantic, shadowy figure, called the Brocken, resembling in outline the human form, raising its arms and moving its head in a portentous manner. To the spectator, as he approaches it, it gradually dwindles in size, and when he arrives at the spot underneath or behind it, he discovers only a man of the average stature, whose bodily dimensions have been magnified by refraction through a luminous mist.

This phenomenon is analogous to the exaggerated reputation of Mr. Sherman as a financier. On a near view, it is found that while he is of fair proportions among public men, he is not the Colossus represented on the public screen by refraction through the prominent positions he has occupied, which have served as magnifying lenses. He looms above others only as the financial Brocken.

Ornithologically speaking, his financial plumage is not all an outgrowth from within. Some of the feathers are glued on the outside. Considered as a *rara avis*, soaring to heights of financial discovery or achievement not before reached, he is a myth.

J. PRINCE.

CURRENCY AND BANKING REFORM.

BY WILLIAM KNAPP, OF THE DENVER BAR.

THE topic for present consideration is the second branch of the subject of currency reform, as suggested in a former article: "The abolition of the issue of circulating notes by banks, and the prevention of the use of the currency so as harmfully to contract its volume." It therefore becomes necessary to notice several fundamental theories underlying the national banking system, and to discuss, briefly, what might be done in connection with a restored double monetary standard, to secure more nearly equal rights and privileges to all classes.

It may be said, in passing, that what we need most of all in this country is financial courage and independence—a true conception of our own strength. It is not probable that Europe will agree to such an enlarged use of silver as will be at all satisfactory to us for monetary purposes; and if it were possible, we would simply be getting more firmly into the meshes by entering into any international arrangements. The proposition of Baron Rothschild to the Brussels conference indicates this. Austria-Hungary came to a gold standard, even during the sessions of this conference, and this will increase the annual demand for gold. Although over $30,000,000 is required by the world annually for coinage into money, and the balance of the whole yearly product is already consumed in various ways, still these considerations will doubtless have no influence whatever on the other side of the water. It is for the interest of all creditor countries that gold shall appreciate in actual value and they will not give up the ground already gained. The only sensible course for the United States to pursue, is to cut loose forever from this unholy alliance, and retire at once from the financial parlor of this European spider, and use silver equal with gold for monetary purposes.

As a general proposition, all the currency, except that which is bimetallic and its proper substitutes, should be full legal tender United States promises to pay, convertable into standard coin. Also, all banks should, as individuals, be required to do business upon their own resources, and exercise no control over the currency, except in their legitimate current business transactions, and on equal terms with all the people, for whose use and benefit it is created.

Most of the reasons for these reforms in banking, can be drawn directly from the annual reports of the comptroller of the currency. It will be noticed that these reports are prepared more in laudation of the system and in advocacy of its perpetuity, than for the purpose of showing wherein the currency, as a whole, can be made more effective for the use of the people. The title of the office would seem to be a misnomer. The total amount of bank notes in circulation at the present time is only about one twelfth of the total volume of the currency; which is about all the currency over which he seems to exercise any management. The money held by the banks and in the vaults of the treasury as reserves and in other ways, is considered to be in circulation; while all the vast amount of the currency retired in that manner, is so much taken away from actual use and benefit of the people. It would be much more important for the people to know how much per capita of the whole volume of currency is in actual circulation, than to have so many tables about the banks, which are all very proper, of course, to be given. These officers have been honorable and upright gentlemen, but always strong partisans of the national banking system. Our objections are made to the system—not to men. It is a very good sign that an innovation has been made for the first time, in the selection of a man not a banker for this office.

The principal injustice inflicted upon the people by the present national banking system, is the great power of its organization to monopolize and contract the currency and divert its free use by all alike. To show, with some degree of clearness, how this is accomplished, it becomes necessary to define the meaning of the terms debtor and creditor, which the friends of gold are

inclined to mystify, when applied to this subject. It is said that all are debtors and all are creditors, which is true in a sense. But for the purpose of clearly comprehending this subject, these terms must be used to designate classes. The creditor class may be said to comprise those peoples and nations that do more loaning than borrowing of money, and who sell more than they buy, financial institutions and capitalists who make a business of loaning money, and those who live within fixed incomes, perhaps. There may be other subdivisions. The balance of the people may be included in the debtor class, which probably makes up more than three fourths of the population. For illustration, railroad companies very properly belong to the debtor class. Their tariff rates are a commodity, affected by the actual price of the money metal, and by the contraction of the currency, like other commodities. They are generally burdened with debt, and are the victims of millionaire railroad wreckers, by whom most smaller roads are absorbed. It is admitted by those who have thoroughly investigated the subject, that, as gold increases in actual value above its coinage value, all commodities not unnaturally affected, become that much cheaper. More labor, miles of travel, and other commodities, are required to buy the gold bullion for coinage into the dollar; and, hence, the dollar increases in purchasing power, which necessarily depresses prices. This operates to the great advantage of the creditor class, and to the very great disadvantage of the debtor class.

The policy of the creditor class is to keep the volume of the currency for actual use as small as possible all the time, regardless of its full volume. It will then be mostly in the hands of that class, and can be much more easily controlled against the interests of the debtor class. The less money there is in active circulation the more unevenly it is distributed among the whole population; and, consequently, the more difficult to be secured by debtors to satisfy their obligations. During the recent failures of brokers, combines, and banks—which were merely a secondary result of the Baring failure, and an addition of an European nation to the gold standard—many, who were laying

all the trouble to the silver purchase act, were very greatly surprised that London was such a good buyer at the decline. This, however, should have excited no wonder, as that city is the greatest creditor city of the world and does not decline our investments on account of that act. Frequent panics and long continuing periods of liquidation, are the results of a dear gold standard or money contraction; and are conditions most to be desired by the creditor class. That class would have us believe that the times are quite prosperous now, in this country. Any plan for supplying more currency by reviving the old state bank system, or in any other way, and still retain the single gold standard, should be most persistently opposed, as it will not remedy the evil in the least; but would cause inflation and unsoundness of the currency. The trouble would still be in the dear standard and the resulting decline of values.

The most radical defect in the present banking system is fundamental. Its theory is in doing business upon the money of depositors, with a nominal capital. The banks of Australia have recently experienced a financial cyclone from this basal cause, and from having too many banks, as appears from the most reliable authority. Why should not banks, like individuals, do business upon their own resources? To furnish an interest-bearing debt, to be used as a basis for circulating notes, which yield a profit, and, as is proposed, exempt this circulation from taxation, is surely quite paternal on the part of the government. But to allow them to do business upon the funds of depositors and not upon their own capital, or from the avails of the sale of stock, and not even utilize the surplus funds for this purpose, are most extraordinary privileges to be extended to any private association of individuals. If national banks are allowed to do business as at present, sufficient currency should be provided over and above the full volume, for reserves to secure depositors, to leave a necessary supply in active circulation for the use of the people. Otherwise, they should furnish sufficient security to satisfy their depositors; which those who enter the banking business ought to be required to provide.

For this privilege of carrying on a banking business upon deposits, a large amount of the currency is misappropriated from its legitimate purpose, resulting in a very serious contraction of the volume of money for actual use by the people, and proportionally depressing all values. From the last report of the comptroller of the currency, the banks held $570,953,219 of the currency as reserves under the law, for the security of depositors. This sum was $162,800,000 more than was required by law, and is all taken out of circulation. It is using the money of the people by the banks, as a security for the privilege of doing business upon resources not their own. And more than this, the sum of $356,117,998.68, consisting of the five per cent redemption fund, specie, mutilated currency, and other kinds of money, was held by the banks for the year 1892. It is to be noticed that a large per cent of these great sums was specie, the reserve banks of our single city having over $83,000,000 in gold at one time. Is it any wonder that the banks, by having the option to demand bonds in exchange for gold, or to accept legal tender notes, have the power to dictate the financial policy of the government, and demand that all redemptions shall be made in gold?

One of the principal objects of the silver purchase act was to secure an annual addition to the currency sufficient to supply, in part at least, the ever-growing wants of the people; but, under the power of the banks to control and monopolize the currency, this purpose is defeated to a great extent. The yearly addition to the currency under this law is about $44,800,000, depending upon the market price of silver bullion. The above sum of $162,800,000, held by the banks over the required reserves, is over $80,000,000, more than the total amount added last year under that act—quite a contraction. Again, our $25,000,000 treasury notes, under the silver purchase act, were exchanged for gold for shipment to Europe. Here is a double contraction, for the time being, at least, and at a time when most needed by the people. In such ways, whatever is done to permanently enlarge the volume of the currency is much more than counteracted by methods of contraction; and these

manipulations are going on all the time. It may be said that these schemes of practical currency contraction are a result of natural causes, except as required by law, and that the people, not having earned the money, are not entitled to it. But the trouble is in a system which creates such causes, that those who have not earned the money would otherwise have been able to have earned it. When gold is constantly appreciating in actual, above its coinage or standard, value, and the currency is also being all the time contracted in volume, all values are declining, and those who loan money secure the advantage. The debtor is wholly unable to secure the necessary means to save his business and property, and thus he grows poorer, while his creditor grows richer.

A banking policy, always operating in the interest of the creditor class, has grown up under the single gold standard, of bolstering up those in failing circumstances, with a view of checking the immediate effects of panics, but which keep the great mass of the people in financial distress the greater part of the time. Aid is extended to bankrupts and their creditors, by means of extended settlements and liquidations, when the debts should be wiped out and honest people allowed to go on in business. Credit extended under these circumstances ruins thousands where it saves one, and the result is prolonged, never-ending hard times. The associated banks, in times of depression, resort to clearing house loan certificates in place of money for settling balances with each other, in aid of weak institutions that have been reckless in their business methods. A very timely illustration of the effect of such a course is seen in the syndicate aid extended, through the Bank of England, to the creditors of the Baring Bros., in 1890. The showing made by the bank at the present time is most unsatisfactory. At least two years must now elapse before the liquidation is completed and the bottom of the depression reached. This state of things has been very greatly aggravated by the recent change of Austria-Hungary to a gold basis, which is having an effect very similar to the great change made by the United States in 1873. Our monetary troubles do not grow out of the silver purchase

act, but they do spring from the single gold standard. The greenback and the treasury note are exactly the same kind of money. To charge the present monetary stringency to the greenback, which is more than twenty-five years older than the treasury note, would be fully as sensible. They are all redeemable in *gold and silver*. Neither of these laws can ever drive us to a *single silver* basis. Let all the legal tender notes be redeemed in an alternating equality of both gold and silver, and the true theory of bimetallism is established; and the pauperizing tendencies of Europe, which have already commenced here, will be checked.

The banks are to be made more instrumental in concentrating capital into the hands of the few. The last report of the comptroller admits the present rapid centralization of capital by combinations, and the growing concentration of business. To foster this tendency, he proposes that the banks may meet this "increasing magnitude of separate transactions," by allowing loans to be made to any single business firm or individual, in amounts greater than one tenth of the capital stock of the bank, using the surplus for this purpose. The logical consequence of this policy must be to drive all average business enterprises to the wall, for want of capital to compete with the great combines. An examination into the failures in the United States during the past year will tend to show the truth of the statement. Out of an average of 197½ failures each week, and still increasing, over one half were due to lack of capital and incompetence. Recent weekly reports show that 82 per cent of failures were of those having a capital of less than $5,000, and 8 per cent were between $5,000 and $20,000 capital. With this increasing business centralizing tendency, and the power of the banks in being the sole arbiter as to whom and when credit shall be given and extended, all average enterprises must be very seriously crippled, if not entirely destroyed. Combines need no statutory assistance, and all legislation should be intended to check rather than to encourage them.

Another combination which operates most disastrously to contract and misapply the functions of the currency, has grown

into most gigantic proportions under the banking operations of monometallic countries. This is the Clearing House Association, which is doing more to checkmate the success and prosperity of the great mass of people than any other known means of credit. The underlying and not so easily detected vicious character of the scheme, which appears to be so laudable on the surface, lies in a fact used by the friends of gold to sustain it, that so much business can be done without the use of money. This fact is used as an argument and pretext for contracting the currency. It would seem, from a superficial view, that, when the business of the associated cities, amounting last year to over $61,000,000,000, was done upon only eight per cent of actual money—ninety-two per cent of credit—but very little money is needed in business operations. It is to be noticed that this immense system of credit is only beneficial to those who, in the associated cities, can have a bank account, and not generally to the vast number of agriculturists, mechanics, and laborers of the country. The comptroller admits that, under this system, it is impossible for the government to furnish a sufficient currency in times of panic and the consequent business depression. Also, that it is impossible, when such a large percentage of business is done upon credit, for the business of the country to be transacted, in times of monetary stringency, with so little money. Now, this is a most unfortunate currency condition, to say the least. With the methods of the creditor class to keep the people in long-continuing financial distress, such a system of credit becomes a most powerful means of the rapid concentration of wealth, and of preventing general prosperity. Advantage is thus taken by the banks of this minimized necessity for money, to hoard and contract the currency more and more. There is no doubt but that generally, in this era of credit, three quarters of the currency of the land is held from actual circulation among the farmers, producers, and laborers generally. Now, a very little reflection must show that any obstacle in the way of those honestly entitled to the use of the little money needed in these long periods of business lethargy, must operate most disastrously upon the great middle and lower classes.

There is a fallacy hidden in the statement of the comptroller that it is the duty of the government to furnish a currency, implying that all the currency must be supplied by its fiat. This fiction has led us astray from the functions and manner of creating a currency. While the government has the power to issue paper money, the theory of the Constitution as to gold and silver money is that it is the duty of the government to provide the mints for coinage, define the ratio and fineness of those metals, and declare the devices for the different coins. The people then take their bullion to the mint and have it coined into their own money. Neither the government nor the banks ever owned this money and are not entitled to it. These theories may not be in line with that Utopian idea of progress, which would enable people to get along with but very little, if any, money; or to depend upon the *limited* amounts of money the government or banks might see fit to provide.

To accomplish these reforms, true bimetallism must not only be unconditionally restored, but no currency should be issued by any banking institution. The power to supply a currency ought not to be leased out by the government, for that power springs from the people themselves. With the most bitter opposition which has been made for more than twenty years to United States legal tender notes, on the ground that they are fiat money, $332,080,234 of this issue are now outstanding, and performing the function of money. This is the best paper money ever issued in the world, and the only money that ever commanded a premium upon exchange in Europe; and treasury notes, secured from silver purchases, will doubtless command a premium there also. There has been a total of about $144,000,000 of these treasury notes issued up to the present time, redeemable in gold or in money coined from the silver bullion upon which they were issued. It is proposed now to refund the existing debt for a long period of time at a low rate of interest, to be used as a basis for future bank note circulation. Examine the different parts of the scheme and it is, as it always was, most pernicious in theory. By putting it together it is this: Fund the old debt, nearly due, on long time; create a

new debt to secure gold for export, or for some other purpose, to be also refunded upon long time, upon which the banks may issue a non-legal tender currency to be redeemed in this debt. Then give them the use of the currency as security for their depositors, upon whose money they do business. The mere statement of such a plan should condemn it. Is it not time that these pets be required to walk alone?

It may be noticed here with what little friction the United States could come to a double standard, and have all the paper money emanate directly from the government, except the specie paper substitutes. We would have, under bimetallism fully restored, based upon the last report of the director general of the mint, $649,788,020 in gold and $593,365,365 in silver. We have about $466,000,000 in greenbacks and treasury notes at the present time. It would therefore require only $724,000,000 further issue of paper money to bring the currency to a maximum amount, to be *limited* by law to about $1,200,000,000, exclusive of the specie under free and unlimited coinage. By contrast, the impracticability of securing a sufficient bank issue of circulating notes and the consequent debt must be quite apparent, when it is considered that the total volume of bank circulating notes, October 31, amounted to only $172,432,146, a decrease of more than one half since 1882, when it was the highest. Would not this logical transition be the most practical and popular solution of the money question? There would be no inflation of the currency under this free coinage plan. It is only by bimetallic free and unlimited coinage that it is possible to determine how much money is required, and will continually be absorbed in business enterprises. It is not claimed that the currency of France, with a population of 39,000,000, is inflated, and yet that nation has a per capita of $43—nearly all in actual use among the people, who are most prosperous and contented. The United States, with 26,000,000 more population than France, has $17 less per capita. Even England, with 27,000,000 less population than the United States, has $22 per capita, under the same, on a similar system of credit. If we had a per capita volume of currency, all told, in proportion to

that of France, without regard to the amount kept from active circulation, how the friends of gold would stand appalled at the dangers of inflation and an unsound currency! There is, however, a dividing line of stable and healthy prosperity between inflation and contraction, which can best be determined by the free coinage of gold and silver equally. If France can maintain that line at her present per capita, we certainly could sustain a per capita of double that which we have, with our much greater demands of progress and industrial development.

Constant allusions are made to the loss of the government in purchasing silver at its actual value and issuing coin notes upon it at its coinage value, which, November 1, is said to have amounted to about $14,000,000. A sufficient answer to this statement is, that if these notes had been redeemed in the bullion coined into dollars for this purpose, as is provided by the law, there would have been no loss or depreciation whatever. Under the Bland act the bullion was coined and, generally, stored in the treasury. Now, the bullion is kept in the treasury, under a contrivance of the friends of monometallism, proposed in a committee of conference and supported by the friends of silver against their sound judgment, as the best measure to be secured. The charge that our present financial depression results from this law is wholly unfounded, and made from the most sordid motives. Make a note of this. The banks have had nearly all the gold of the country hoarded up, of which there is over $649,788,000, much more than enough to redeem every outstanding legal tender note. By refusing to honor checks in gold, legal tender notes are paid out in the place of gold, which could have been secured in this way from the banks for export. These notes are presented to the treasury for redemption in gold for export. In this way the government reserves are depleted to force an issue of bonds; and all the present financial embarrassment of the government is laid to the silver purchase act.

The principal opposition to the double standard, springs from the banking combine of Europe and this country. It shapes the administration of financial affairs; and, if necessary, disre-

gards the spirit, if not the letter, of the law. With us, there is a discretionary power to redeem treasury notes in either gold or silver money. The law declares the policy to be, to maintain the two metals on a parity with each other upon the present or any future legal ratio. The present legal ratio is 25.8 grains (23.2 fine) of gold, and 412½ grains (371¼ fine) of silver, in each dollar. It has become a maxim, "that sound policy is never at variance with substantial justice." The very specious argument of the banks is that by redeeming these notes in gold all parts of the currency are kept on a parity with gold, which is the best part of it. How can the silver dollar be kept equal with the gold dollar, under the law, in this way, by totally ignoring it as redemption money? Look at the injustice of this kind of parity. Under the single gold standard, the gold and silver dollars will each at the present ratio purchase commodities worth $1.29 in the market; and, under the present appreciation of gold, there is an average discount of forty-six per cent upon the value of commodities. This is how the silver dollar comes to be considered a cheap dollar. Greater justice would require the gold dollar to be ignored; and that if the ratio should be changed, there should be less gold put into that dollar, and that the quantity of silver should remain in the silver dollar, as it is and has been since we became a nation. The word parity stands for too much to be thus abused.

One reason why the banks have such a monopoly of the currency, is because there are too many of them, especially in the large cities. Is not the theory of free banking a delusion and a snare? Why does a city of 200,000 population require eighteen or twenty banks to absorb the money of the people? There was an increase of 163 last year, making a total of 3,788 throughout the country, according to the last official report. Free banking is claimed upon the very plausible theory of the necessity of increasing banking facilities, to keep pace with the growth of population and the increase of business, while an increased per capita of currency for these very purposes is declared by the friends of gold to be inflation and unsoundness. The more banks we have the larger the volume of reserves to

secure depositors, and for current use in banking operations; the more extensive the great clearing house credit system becomes, and the more serious the actual money contraction and business distress. Let banking facilities, especially in the cities, be contracted rather than the currency. Let the policy be to give us sufficient money and less banks—not less money and more banks. A government postal system, more trust companies, or something of the sort, would be an improvement. Any system that would not tie up the currency in reserves and numerous other ways would be preferable. Trust and deposit companies took the place of old state banks, under that system, in many cities; and were generally very safe and prosperous. Some such plan would give the currency much greater freedom and volume for actual use, and greatly tend to remove the injurious effects of this great demon of credit.

And lastly, how can the currency be made the most elastic? It must be admitted that under the present system there is no flexibility in the supply of money. Indeed, the comptroller in his last report admits this; and that a currency furnished by the government in the form of legal tenders would possess the element of soundness. Attention has already been directed to the government legal tender paper money, and how flexibility would result by extending to the people the right to the free and unlimited coinage of gold and silver equally. It may be admitted that elasticity means, as stated by the comptroller: "Conformity to business wants, the supply quickly responding to the demand, and not conformity to fixed rules and statutory law." The national banks, however, could not supply a currency, under this meaning, that would meet the want fully and perfectly. A *bank note* is *not money*, but *fiat currency* of the *worst character*, having as its only security a debt of limited amount. It sustains no comparison whatever to an United States legal tender promise to pay, redeemable immediately upon presentation, under a bimetallic standard, in gold or silver money. The process of redeeming a bank note secured by bonds is most dilatory. And, furthermore, there can be no reasonable prospect of securing a sufficient volume of circulating bank notes, to

meet the demands of flexibility. The highest volume of national bank notes in circulation at one time was $362,889,134, eleven years since—about double the present issue. This perfect flexibility can only come from the free and unlimited coinage of both metals. The silver and gold money of the United States now amounts to over $1,243,000,000, which is the basis from which this elasticity must spring. The policy of founding a sufficient paper currency, over and above that amount, upon any kind of debt, is wholly impracticable and should not be tolerated.

Even if there could be a sufficient volume of bank currency supplied, under a continuation of the present plan, the requirements for securing loans and discounts are subject to such rules and restrictions that money would not be supplied on demand at all times, even when most abundant. The flexibility of the currency should not depend upon the will of the creditor class—the discretion of banks. Could the people secure a flexible currency, with the power of banks to deny credit to the people of any section of the country, to prove to them, in this artificial way, that they are losing money, for the purpose of influencing members of Congress from those sections to vote for the repeal of any measure the banks consider obnoxious to their interests? And yet such has been, and may often be the case. No. Free elasticity cannot be secured in this manner. It must depend upon the bullion owner, and not upon the banker.

If these reforms can be accomplished, the trend will be toward a greater prosperity and contentment; a more equal distribution of wealth; less domestic infelicity, pauperism, and crime; a better civilization, and a more general acceptance of, and regard for, the Christian religion.

WILLIAM KNAPP.

WHO SHALL PRESCRIBE WOMAN'S SPHERE?

BY ELLEN BATTELLE DEITRICK.

WHEN good people differ in regard to a principle it will generally be found that there is a vital misunderstanding in their comprehension of the principle. All of the agitation over woman's duty, her obligation to find the bounds of her "sphere" in the home, her solemn necessity to strictly avoid "politics," grows out of lack of comprehension as to the many-sidedness of woman's nature, and a total misapprehension of what is the vital essence of politics.

It goes without saying that man and woman must take upon themselves the duty of fatherhood and motherhood if we want the human race perpetuated. But motherhood no more sums up the whole end and aim of woman's life than fatherhood does that of man's. Woman is, first, an individual to be developed into a strong, reasoning, self-respecting, self-governing, self-supporting human being; next, she is a citizen, whose interest it is to understand all principles of municipal and national action; and, then, marriage may form an episode in her life; motherhood may be her experience, but neither need in the least interfere with her annual choice of her political representatives; and at fifty her government of the home may have well qualified her for an active share in public government during the next ten years of her life.

The most advanced tribe of Madagascar—civilly, socially, and financially—is that one whose king has been guided from time immemorial by a council of twelve aged women, elderly dames elected to the office of national directors from a belief in the wisdom of experienced wives and mothers. Who can tell how much benefit we might derive from following this example!

Mr. William W. Phelps, who has just written a most eulo-

gistic article on the moral influence and power of mothers, strangely enough overlooks the value women's "keener moral perceptions" would have if brought into the service of the nation. "Bring within view everything that is substantial," he exclaims, "and behold, its perpetuity rests upon the virtue and intelligence inspired by woman." And yet in the next breath he bemoans the awful danger to the country should women allow their thoughts to stray outside their homes and ask to have their opinions on public matters counted. Home, in Mr. Phelps' opinion, is the circumference of woman's "sphere." He concedes that if pushed by the actual necessity of earning their daily bread, some of the sex may "without the loss of womanhood or modesty," take up the pen, the brush, the needle, teach art or music, or enter the office or schoolroom. This is kind in Mr. Phelps, for as three millions of women in the United States have to earn their own bread or starve, it would be a pity to brand them with "unwomanliness" because they preferred not to starve. But women competing with men for the dignities and salaries of lawyers and preachers fill Mr. Phelps' soul with abhorrence, and their efforts to develop their minds by study, their bodies by physical culture, and their social intercourse by debate, he totally disapproves of.

Now if Mr. Phelps wants to witness the practical working out of an ideal which for nearly a thousand years has confined women's thoughts and attention solely to the home, he is advised to devote himself for this purpose to a study of the history of India. India, as all the world now knows, is the home of the twin branch of our own race—the Aryans. The English-speaking people and the Hindus are, therefore, members of the same original stock, inheriting equal talents, equal capacity for intellectual development, equal inherent possibilities of national greatness. Wherein then lies the cause of the rise of one, the degradation of the other, by which the latest developed branch has set its foot as a conqueror upon the neck of the elder? It is to be found entirely in the blunder by which the high-born women of India gradually and short-sightedly gave up all of their primitive interest in political life and immured themselves

totally in that narrow sphere called the home. In the early history of India women played a most important part. They were distinguished as sovereigns, as philosophers, as inspiration in art, literature, and religion. To this day every Brahmin addresses a daily prayer to Saraswati, the mother of the Vedas. In that period of woman's freedom a sacred scribe wrote, "The whole world is embodied in the woman. One should be a woman one's self. Women are gods. Women are vitality." Primitive Hindu philosophy depicted the creative power as feminine, the race at that time knew nothing of woman as a dependent weakling. Marriages were then contracted by free choice between adult equals; women moved abroad, as English and American women do to-day, unveiled, free, honored, sharing both the private and public life of fathers, husbands, sons, and brothers. No human being could then have foreseen the possibility that the day might come when girls would be married at seven or eight years of age and doomed to spend their lives in a darkened abode utterly divorced from all the intellectual interests of even the men of their own family.

The revolution in the lives of the women of India began, as all historians agree, at the time when their land was conquered by the rude Mohammedans. Veils were adopted by aristocratic women to screen their faces from the too free gaze of the foreigners. Luxury slowly weakened their bodies, over-refinement inclined them to withdraw themselves more and more from communication with a common, everyday working world; what was at first a fashion hardened into rigid custom; voluntary effacement from public life was succeeded by enforced retirement; seclusion in a narrow sphere begot ignorance, and ignorance forbade further education; being divorced from the affairs of this world, ignorance engrossed itself more and more with fantastic superstitions concerning other worlds, and thus, little by little, did the contraction of woman's sphere in India drag the whole of Indian life into the narrow bounds set round the mother. To-day every truly educated man in India advocates (as the only hope for the redemption of India from the slough of poverty and superstition) that an effort shall be made to draw their

long-buried women out of that sphere in which they now rest sublimely contented, and in which their womanly influence is all-potent. The homes have become the curse of India, even though they are the abode of gentleness, grace, piety, and virtue beyond question, for they are the hotbeds of superstition. But national blunders are as difficult to retrieve as they are easy to commit, and an uphill task lies before the educators of India.

The world is slowly beginning to comprehend that woman and man have one common sphere, and that is the globe; and that within this common limit each should have fullest opportunity to develop after his or her own fashion. Some women are born for military geniuses, as witness our own Ann Carroll, who planned Grant's most celebrated campaign. Some men, on the other hand, are born for millinery and cooking, as Worth and Vatel. Some women are born to rule, as Catherine the Great, Elizabeth, or even Victoria, who governs by having sense enough not to try to govern. Many men, on the other hand, are born to serve abjectly, as in the vast armies of monks and of modern soldiers, whose whole idea of life is summed up in the adoption of slavish obedience. How foolish it is, then, to waste time trying to compress all masculine mankind into one mold and all feminine mankind into another! Nature has given to the Rev. Anna Shaw a rare gift whose exercise furnishes delight to thousands who throng to hear her. In the whole United States only one man is her equal. She is a born orator, endowed with the magnetic presence, the thrilling voice, the wit, logic, power of pathos, which attract, charm, persuade, and convince those who hang upon her utterances. But the Rev. Anna Shaw, thoroughly at home upon the platform or in the pulpit, would be as much out of place as Mr. William W. Phelps, of the Montana bar, if confined to frying-pans or dish-washing in a kitchen, or bending over the needle.

The chief trouble with the men who strive to frighten women out of politics is that they themselves need a new conception of the meaning of politics. Originally the word signified the affairs of a city. It had reference to those buildings provided for the convenience of all citizens, to those roads over which all

citizens travel, to decisions as to whether the city should decide for peace or war, as to whom the city should choose for its leaders. The early histories of all races show women as interested as men in the affairs of the city, and the weal or woe of every race is decided largely by the extent to which men and women preserve this community of interest.

No stronger evidence of the benefits arising from women's sharing the political life of men could be desired than is now afforded in the cities of England, where municipal affairs have improved within the last twenty-three years just in proportion to the political activity of women. No more striking evidence of the dangers resulting from women's exclusion from political life could be found than is exhibited in American cities, whose strictly man-governed realms have become a taunt and a reproach among nations. This is not because women are better than men, but because a city needs the interest of all its citizens to keep it up to its best achievements. Women need the breadth that comes of occasional attention to something broader than the petty affairs of one's own family, one's own church, and one's own visiting circle. Men need the reminder that motherliness is as necessary to a city as to a household, a fact which they are apt to forget in treating the city solely as a preserve for masculine perquisites. City fathers may be superior in matters of finance, but city mothers will do far more for the cure of crime and salvation of childhood than all the police, the courts, and penitentiaries have ever done, or can do. Every place where weakness, suffering, and want is found is woman's place, and, fortunately, there are women enough to supply all without leaving the homes neglected.

It is not good for either man or woman to be alone in the administration of law, religion, or government, for the tyranny of a ruling sex over a subject sex presents opportunities for cruelty and abuse of power surpassed in no other form of autocracy. We are apt to make a fetich of the home, to fall down and worship it blindly as a perfect institution. But every intelligent person knows that home may be either a heaven or a hell, according as it is the abode of two perfectly free equals, or of

ruler and subject. We shall never know the even nearly perfect home until man concedes to woman every jot and tittle of the freedom which he claims as his individual portion.

At present women deserve no credit for their virtue or morality. They are not free agents, but puppets, obeying men's laws for fear of men's punishments. The laws made by men decide upon what terms women may marry and what shall be the form of the marriage; they decide when children shall belong wholly to their fathers, when partly to their mothers, and (infamy of infamies!) when they shall be branded as legally nobody's children; they decide when a married woman may have a will, when she may express her will, and when she shall be deprived of all exercise of will or any right to make contracts; as they decide upon what terms she may marry without consulting any members of the sex, so, likewise, they settle without her knowledge all the terms upon which she may divorce, or be divorced from, her husband.

In our civilization we boast of that peculiarly just institution called "trial by a jury of one's peers." But no woman is ever tried by her peers; all who sit in judgment on her sins are her legally constituted superiors. Some of these superiors proudly announce that they are naturally woman's superiors, that both mentally and physically nature has endowed them with superior qualifications for the possession and exercise of power. This, one might think, would be sufficient advantage, but no, every artificial bolstering up of power that social convention can give, men take for themselves and deny to women, such as possession of legislatures, right to make laws and administer them. The best education is for sons, the finest cultivation for their mental and physical faculties, the stimulation of native powers that comes from training for self-support, the strengthening of self-respect—born of the knowledge that they are to be self-governing. But the daughters, the weaker, are sedulously repressed into still greater weakness. From the cradle to the grave they are taught, not *to be* but *to seem*, and, invariably, to seem something quite different from what they are. There are just two courses possible for a human being, to be self-

supporting or to become a pauper, dependent upon the will and favor of another. Most women are trained for pauperism, and accept pauperism as their heaven-ordained condition. Unmarried, they depend upon father or brother; married, upon a husband. Marriage to most of them revolves itself into a "condition of being supported." It is true that the vast majority of them far more than earn their living in marriage. They carry on simultaneously the trades and professions of cook, chambermaid, waitress, housemaid, laundress, seamstress, scullion, child's nurse, and general buyer and manager of the family, while filling the higher rôle of wife and mother, for in the vast majority of families in Christendom the wife is the only servant. But for all this no one thinks of a married woman as self-supporting. The law, literature, and custom invariably refer to the husband as his wife's "supporter," and as "the supporter of his family." Until quite recently no married woman was allowed to possess any property, even now she uses it under limitations, as if she were a child in tutelage.

One of the first great moral gains to accrue from woman's full enfranchisement, that is, her mental as well as her political enfranchisement, will be her recognition as an honorably self-supporting individual in those two thirds of the homes of America, wherein she now labors at a dozen or more wage-worthy occupations. Marriage will be acknowledged as a partnership, in which each partner is equally worthy of respect as self-supporting, so long as each contributes to the common welfare of the family.

Men are too arrogant in regard to their importance in politics, too modest concerning their own responsibility in the building of the home. China and India are valuable object-lessons for those who would avoid the pitfall of making woman sole despot in the home and man sole despot in the political realm. A careful preparation of man for the sacred duties of fatherhood is as essential a part of his education as is the careful preparation of woman for her sacred duties of citizenship. No woman can impress upon susceptible minds the sacredness of truth and liberty, or inspire true patriotism, or teach the responsibilities of public

trusts, or the importance of the ballot and elective franchise, until she has learned by experience what these words mean.

Women's faults to-day are the faults begotten of slavery, the faults of cowardice, untruthfulness, weak dependence. Those who rise above this condition do so in spite of, not by the help of, their environment, for the present environment of women in the United States is as false to the principles professed by the founders of the United States as is the position of women in Turkey. This is the weak point in our political system. We are not a true democracy, but a hypocritical oligarchy of sex, parading under false colors. With hypocrisy inwoven in our daily political practice, with a giant wrong against half of the citizens of the republic, not only perpetuated but defended, what wonder that our politicians daily grow, as Mr. Phelps confesses, more "artful, conceited, hypocritical, unscrupulous"? Out of evil evil comes. A false situation begets falsehood.

Even though all that the conservative fear should seem possible in consequence of the enfranchisement of women, this enfranchisement is the only consistent course for our government. "A house divided against itself cannot stand" is a maxim which applies equally to family and nation, and the United States must inevitably go on to true republicanism—the self-government of all sane, non-criminal adults—or drift back as other masquerading oligarchies have done to some form of openly crowned despotism.

ELLEN BATTELLE DIETRICK.

THE CITIZEN IN POLITICS.

BY GEORGE URQUHART, ESQ.

THE history of politics in this country demonstrates that the majority of the people, in making up their ballots, want to do what in their judgment is best for the welfare of the nation. People differ in opinion as to which of different proposed policies of government is best adapted to bring about the best results, and a fixed conviction one way or the other may lead the best of men to vote for a very incompetent candidate who represents certain principles, but the care and solicitude which the average voter manifests at the polls in making up his ballot indicates his desire to vote for the best man, where no great principle or policy is to be decided, upon which the voter has his own convictions. And this fidelity of the masses to truth and right has been the great factor in maintaining the honor and prestige of this nation.

If the people would attend the primary elections and take the same interest and care in the selection of delegates to nominating conventions as they do in voting at the general elections, the problem of electing good men to office would be solved. But for various reasons the primaries are poorly attended and a few friends of the candidate or delegate in each election district elect the delegate from that district, and the same process many times repeated nominates the candidate without the majority membership of the party having had any part in the selection. When the people are awakened to the necessity and importance of attending the primary elections so as to indicate their choice of the aspirants for the nomination, it will make very little difference whether they attend the polls on election day or not. It is customary now for the party to show its disapproval of the selection of candidates by defeating them at the polls, and

the same method will probably prevail until the voters are taught the importance of attending the primaries, which should be held upon a day especially designated by law for that purpose, and the attention of the people particularly called to it by making it a legal half-holiday.

The habitual dissatisfaction of the people with the selection of candidates by nominating conventions on the ground of their being incompetent or unworthy of confidence, or otherwise unfit for the position, would be done away with, if well-meaning citizens were chosen as delegates to these conventions, and they would be returned in most cases, if the usual party vote were polled, with the result that the candidates of both parties would be fit men who would honor the office, and we would have good government—no matter who was elected. But we are very far from that position in practical politics at the present time, as those who have interested themselves in it at all well know. The percentage of voters in the cities and towns who attend delegate elections is very small, and the moral tone of the delegates is a variable quantity.

The citizen who goes into a convention as a delegate with the purpose of doing some good to the community will find obstacles in his way which must be met and overcome before he can accomplish much toward the end he has in view, and which unassisted he will find himself powerless to change. The selfishness of good men, and the want of harmony it begets, prevent them from moving in a unit, and render nil the influence and power which their standing in the community and natural ability would give them. It often takes conscientious and thinking men a good while to learn that there are good men in the convention besides themselves, and that their ideas of the way things ought to be done may not be feasible, and that many things must be considered in making up a ticket of which they had not thought, and in order that they may be successful in part, if not individually, they must work together in furthering some plan which is for their best interests as a whole. And thus their self-esteem and profound conviction of their own infallibility and suitableness for any position to which they may

aspire, may make them useless in bringing about good nominations or the adopting of wise party principles. On the other hand, men more selfish than they, and who care nothing what becomes of the public welfare, will unite together for the accomplishment of some end which will benefit them somewhat as individuals, and through their union succeed in having their way and getting things done which will help them as individuals and as a political faction.

The usefulness of a delegate to his constituents depends on his adaptability to circumstances as in other matters. If he goes into a convention with the idea that every one in any way identified with politics is corrupt, and in all things is under the control of the local boss, he will at once antagonize many men who think as he does in most matters, but who see the necessity of concerted action among those who have the faculty of influencing the people and who believe in some cases it is better for the general good to choose the lesser evil when it is that or nothing.

The greatest obstacle to be met and overcome in the convention is the boodler element, which makes the whole system disreputable and blackens the character of those who do the work of carrying out the details of the political enterprise. This uncertain element is always a thorn in the flesh to the honest man endeavoring to do his duty fearlessly and conscientiously, and as long as the boodler is returned by the people and holds the balance of power in the convention, unworthy men will continue to present themselves as aspirants for the nomination, and decent men seeing the hopelessness to them of a fight which is to be gained by the use of money will refuse to enter a competition in which they are beaten by their adherence to law and moral conviction of what is right and wrong before they begin. When the time comes that the people consider it just as much a duty to go to the primaries to vote as to the election, this element will disappear for the most part from the convention, and the problems which this country will have to solve in the near future may effect this change much sooner than we expect. If it can be gotten rid of we will have honest men for candidates,

who will use honest methods in conducting the canvass ; the use of money for other than legitimate expenses will cease, and politics will take the position which the science of government should occupy among the duties which men consider it honorable to undertake.

The kind and amount of misstatement and meanness which are made use of in the political canvass of the present cannot be described. The announcement of the nomination has hardly been made before the organs of the opposition begin to proclaim the vices and failings of the candidate and his family and relatives. Each act which he has done is closely scrutinized and the most unfavorable interpretation put upon it. The tombstones of his ancestors are examined, family skeletons are dragged to light, and the candidate is held responsible for all the sins of omission and commission of those who are related to him, and failing to smirch his character by this means, stories are invented which place him in an unfavorable light and attribute to him characteristics of which the devil would be ashamed. The meanest motives are assigned for doing those acts which are acknowledged to be good, and trifles with no significance in themselves are magnified and distorted with the hope of arousing the hostility of those who might be friendly to him. The freedom which the press has of criticising the candidate for public office is exercised beyond the point where libel begins, and he is depicted as a fit candidate for the penitentiary.

In order that a candidate be elected to an office he must possess powers of body, mind, and heart which would enable him to attain eminence in any line of business he might undertake. The worthy and unworthy poor look upon him as their rightful friend and prey, and the many gentlemen who are possessed of "enflooence" expect him to honor all drafts which they may see fit to make upon him. Of course the distinguished man who has been named for office will be in sympathy with every organization having for its object the good of mankind, and therefore the collectors of money for all fairs, sociables, raffles, picnics, balls, and all religious and secular charities call upon him, and give him the honor and privilege of subscribing his name in red ink at the

head of the list of contributions. If for the twentieth time that day he has subscribed five dollars, which amount is considered by the collectors too small for a man of his greatness to give to such a worthy object, he must be possessed of the *suaviter in modo* which will still the troubled waters, and make the collector think that five cents from him is worth five dollars from any one else. As the people of his district are particular whom they vote for, it is his duty, and he must make it his business, to see the voters and take them by the hand, and, if requested, eat, drink, and sleep with them individually and collectively, and not forget to praise the mothers and kiss the babies, young and old. And in his peregrinations he must not forget to visit every public house and leave an adequate donation to keep the boys in good humor until his rival comes that way.

These difficulties in the way of cleansing politics may be lessened by awakening the voters to the necessity of attending the primary elections, and to do this reasons must be given to convince them of the vital importance of these elections to the success of the party and the purity of government. This education of the people can best be done by the press of the country, which is always ready to champion the cause of right and public morality. If the editors of our journals would discuss the details of party management, and impress upon the people the duties and obligations of citizenship, and point out the way in which much that is wrong could be righted by the direct act of the voters, we would find that the desire to do what is best for the state and the party would awaken many voters to a realization of their duty to the community, and cause them to do their part toward purifying politics. An essay upon the advantages of good government, and the relation of the citizen to it, which does not point out plainly the means, simple as they are, by which it may be obtained, will not accomplish as much good as a two line squib which tells men to go to the primaries and vote for good men to represent them in the party convention. When the few acquire the habit of going to the primaries out of a sense of duty, the many will do the same out of curiosity, or a personal interest in those who are seeking the



delegateship, or because they are aroused to a sense of their obligation as citizens by the good example set them.

These are some of the obstacles which block the path of the honest man in politics. It is a source of regret that the great profession of the science of government should be so prostituted by those connected with it. Whether a man can be a politician and be a moral man is a question which every man, aided by his conscience and his religion, must answer for himself. But, as things are at present, the man who wishes to keep his heart pure and his hands clean, will think twice before taking as active a part in politics as he may think it his duty to take.

There are times when a man must be singular if he does what is right, when, in order to bring about some great change which posterity will thank him for, it will be necessary for him to suffer injustice in the misstatement of his acts and misinterpretation of his motives. But this is the rôle of the martyr and the hero which few men in this age of the world feel called upon to assume. The people can purify politics if they wish to do it, and make it honorable; and when they do it, we shall have better men in public office and wiser legislation.

GEORGE URQUHART.

A NEW POLITICAL SYSTEM.

BY ATKINSON SCHAUMBURG.

"Out of the old fieldes cometh al this new corne."

THE organization of an "electoral commission" to adjudicate the conflicting claims of rival candidates for the presidency of the United States, and the appointment of a committee, some years since, by the Governor of New York, to devise a better plan for the government of cities, have revealed to reflecting minds vast defects in our present political systems—state and federal. That the fathers who originated our unique form of government could not foresee defects that were to be disclosed a century after its formation, is only reasonable. That these defects have been shown by recent and very grave complications to exist, is equally undeniable. It is not proposed to discuss any particular form of government, favorably or otherwise, but to urge a few considerations in regard to our own system, by the adoption of which, it is believed, a better and more perfect government would exist in our country. It is a truism that all forms of government, from the most primitive to those of the present day, have embodied in their various systems greater or less defects, and that Pope's celebrated couplet:

> "For forms of government, let fools contest,
> Whate'er is best adminstered is best,"

contains about all there is in political philosophy from Aristotle to the present day. The suggestions are:

I. All elections throughout the United States—municipal, state, and federal—should be held on the same day at intervals of three years. Under the present order of things, scarcely a day passes that an election is not held in some part of the country. If it is only a village contest, aside from exciting

local interests, jealousies, and bickerings, its result is at once telegraphed over the whole country, that it may have an effect upon approaching elections in parts however remote. Hence the political caldron is kept continuously boiling. No sooner is one contest concluded than another takes place, and when a canvass terminates in one city or state, the political manipulators begin to prepare for the campaign elsewhere. There is no cessation to this interminable strife and while it keeps the politicians' hands busy, the people's vital interests suffer from the never-ceasing turmoil of political contention. The spoils system begins, and peculation being triumphant, the era of official malversation dawns.

The national elections occur less frequently than those of the states; the states less frequently than those of the counties, and so on down to the smallest village or township. The village contest affects those of the county; the county those of the state; and the state those of the nation. Prior to every presidential election, the forces of the opposing parties are concentrated in certain states, and it has passed into a political aphorism that as these states go, so goes the presidential election, and the country, too, but in a false sense. Indeed, in recent years, this prophecy has applied to a single state—New York—certainly so far as the Democratic party is concerned.

The remedy for this evil is to hold all elections on the same day throughout the entire country every three years. Governors of states, mayors of cities, members of the legislatures, and all minor officials in counties and towns should be elected for this term. Members of the lower House of Congress should also be elected for three, and senators' terms remain as at present, six years—so that a new House of Representatives would come in with half of the Senate every three years. The president and vice-president to be elected for six years, and ineligible, not only for the next, but for any subsequent term. This rule should also apply to all executive officers, state or federal. The objection to a re-election is not valid unless the disability be perpetual, since any incumbent may prostitute the influence of his office to control a subsequent contest, however remote.

When it is made impossible under any circumstances to be again eligible, every incentive to abuse the trust would be forever removed. The judiciary should be appointed for life, or during "good behavior," and debarred from a candidacy for any other office during their incumbency. The elective judiciary is fraught with all the baneful effects of party adherency and subserviency, which was only too sadly illustrated during the Tweed ring *régime*.

II. Abolition of the electoral college. Excepting the judiciary, all officials, executive and legislative, should be elected by a direct vote of the people—the popular vote. Then our country would never have what it has had frequently, the political anomaly, a "minority president." One holding the highest executive office within the gift of the people, whom the people in the exercise of their inalienable right of suffrage voted by majorities in the hundreds of thousands should not be elected to that office. This institution, founded upon the theory of the equality of the states, has been proven by years of experience and trial to be too cumbersome for the functions it is to perform, and too complex in its machinery to determine the delicate, intricate questions that may arise in any presidential contest. Hence arose the necessity for the "electoral commission" to determine vital issues with which it was acknowledged the electoral "college" could not deal. Nor did the gravity of the situation end here. The then vice-president, contrary to all precedent and all law, claimed the exclusive right and power to open and to count the ballots and *pro hac vice* determine the election. A claim, had it been allowed, which would have resulted in widespread contention, if not in civil strife itself. Senator Morton (of Indiana) proposed a substitute for the electoral "college," which he urged at the time with signal ability.

With the abolition of this "college" it is proposed to let the people vote direct for the candidates, without the intervention of this or of any other intermediary institution. Then the people as a people would choose their rulers. Then there could be no "minority" president or "chief executive," against whom a majority of the voters of the entire country had declared at the

polls by their ballots. Then there could be no such an anomaly as a president elected by the electoral and defeated by the popular vote. The votes cast in each state should be counted for the respective candidates, irrespective of state boundaries, as the votes cast in each and every county of a state are counted in a state election, and the candidate who throughout the country received the largest number should be president, and the second or next highest vice-president, even if they be of different political faiths. In the "college" the candidate who can carry thirteen states—not the "original thirteen," fortunately—of the forty-four in the Union, will be beyond all peradventure president. These thirteen states have, or are supposed to have, by the last census, the majority of the population, but as there are at least two political parties in each state, the entire voting population do not vote one way or for any one candidate. The reported voting populace of the "Empire State," when Mr. Cleveland ran for the presidency the first time, was 1,125,049. Of these he received a little more than one half, or 563,048, being a majority of 1,047 over Mr. Blaine. When he again became a candidate he failed by 13,002 votes, receiving 635,757 to Mr. Harrison's 648,759. But Mr. Harrison did not carry the state, in a proper sense, by any means. Mr. Fisk, the Prohibition candidate, received 30,231 votes, hence Mr. Harrison got 17,229 less than one half of the votes polled, and 17,230 short of a majority. What is generally known as a "plurality" he obtained by an excess of only 13,002 over Mr. Cleveland. And this applies with equal suggestiveness, at least, to the twelve other states of the invincible "thirteen."

Against this minority of states there is a majority of eighteen states, possessing a vastly greater territorial area, that must in the nature of things be speedily populated, and casting at every presidential election with the minority in the thirteen an overwhelming popular majority. The thirty-one states that are in a minority, "electorally" speaking, may, since the census is taken at periods of ten years, have a greater population during three presidential contests and not be credited with it. The next census will be in 1900, but presidential elections occur in 1892,

1896, and 1900, before the census of that year can be ready for determining the apportionment of electoral delegates or votes. It would be equally as undemocratic and unrepublican to permit a majority of the states, regardless of their population, to determine a presidential election. Hence, it seems indisputable that the thirteen states, carried by a majority of a few votes for any candidate, determine the election though the thirty-one other states, by overwhelming majorities, cast their votes for another candidate and thereby give to him both a majority of the eighteen states and of the popular vote. The electoral "college" practically renders the citizen's vote nugatory—a disfranchisement.

The Supreme Court of the United States within the past few months unanimously decided that the Miner, Michigan, law was constitutional. This decision will allow that state in future to cast its electoral vote for more than one candidate. In other words, by Congressional districts, and not as now by the entire state as a sovereignty and as a whole. This will embrace all of the other states if their legislatures pass similar laws.

III. Abolition of nominating conventions. These bodies meet very frequently throughout the country. To become a delegate to one of them, the candidate must enter into a heated political contest. All sorts of promises are made, some of which are kept; bargains entered into and measures adopted to control the votes of the respective delegates, who receive, in time, their *quid pro quo*. Everything is cut and dried—politically—before the convention assembles, and the result, generally, is to fasten upon the people a candidate who is available to the machine politicians, who control the convention, but whose fitness or capability may be seriously doubted, and above all, who is in no sense the choice of the people. Our greatest statesmen have, as a rule, failed to get the nomination of their party. Webster, Calhoun, Cass, Benton, Wright, Douglass, Seward, Chase, were set aside for men more available, but in no sense their equal. It is historic that at the Cincinnati Convention, that nominated Mr. Hayes, four of the ablest leaders of the party were shelved to carry out a bargain, previously made that

the Pennsylvania delegation should vote as a leader in it determined, after the happening of a certain contingency.

That such a system is pernicious, cannot be denied. Before the assembly of any convention the leading and the most prominent men in every political party are known. They who deserve the nominations are known to all intelligent, qualified voters, and their respective claims upon the suffrage of the people have been thoroughly, probably impartially, canvassed. Every voter, therefore, under the Australian or any other system, could vote for the man of his choice. No doubt there would be more Richmonds in the field than when a convention nominates, but the people would not, in consequence, be defrauded of their candidate. The memorable Charleston Convention of '60, after many ineffectual ballots, each faction adhering to its preference to the bitter end, unable to effect a nomination, adjourned to Baltimore, where the same lamentable deadlock ensued until an irrepressible conflict arose and the convention divided into two hostile factions, each to nominate a candidate. The effect that this rupture had upon the country, not only at the time but upon its subsequent history and stability, is not within the scope or purpose of this article to state. They are too well known to be reviewed, and too indelibly impressed upon our country's history, ever to be effaced.

IV. Restricted suffrage. The commission above referred to, appointed by the Governor of New York, among other remedies for the evils existing in municipal affairs, suggested a plan limiting the elective franchise. The plan, in brief, was that every citizen having the requisite qualifications, should also own a small amount of real estate or pay a small annual rent. Hon. William M. Evarts and other distinguished New Yorkers, were of the committee. Excepting the trading politician, whose politics is business and whose business is politics, very few of the present day whose opinions are worth the utterance of them, but agree that some restraint should be placed upon the wholesale, unrestricted, and indiscriminate exercise of one of the highest privileges and prerogatives of citizenship. To cast a vote is not in any sense a natural right and under many ancient

forms of government it was unknown, as under many modern systems, it exists only as a restricted privilege. It was simply the creation of the legislative *fiat*—and may be abridged or abrogated altogether, without infringing in the slightest any natural right a citizen may possess. The same laws protect him as fully and as fairly, whether he votes or not, and his government will guard him in the exercise of his rights, if he does not, periodically or ever, indeed, deposit a ballot in a box on election day.

It would be difficult to state by what right, natural or otherwise, one has a right to vote because by accident of residence or habitation he becomes a citizen for a brief period of a certain locality. He may be a pauper, or belong to the brotherhood of "tramps," with no interest in, respect for, or knowledge of the government under which he lives. Wandering from place to place and remaining long enough to acquire by residence the privilege of discharging one of the loftiest duties of free-born citizenship. In many cases, unable to read the ballot he is empowered to cast, he exercises the same power as the most intelligent and worthy citizen who has large property and other interests at stake.

In all corporations—and a city is a municipal corporation—the stockholders vote according to the interest each may have. While it is not claimed that a citizen should vote "early and often," according to his property interests, it is claimed that if he has no property at all, he should not vote until he has acquired some, however small an investment. Frequently, vitally important questions are submitted to the people for their approval —questions in which the most public spirited and intelligent are deeply interested and which are of vital importance to the community; such as the building of railways, canals, and other great works of internal improvement, in which the rabble or the *riffraff* have and can have no interest whatever. Upon great occasions like these it needs only some political recruiting in the byways and the project so essential to the city's progress and material welfare is menaced, if not defeated.

The elective judiciary is a sad illustration. The broadest in-

tellects of our country have repeatedly urged the appointment of all judicial officers by the executive power, while politicians of the hour decide differently, and this wholesome feature of incorrupt government is defeated by the very repose of the city or state's political elements, who know about as much of the merits of the question as they do of the philosophy of Confucius. The Tweed ring were enabled after they grasped it to retain supremely corrupt power by the impeached judiciary of that day. It is probable that the leader had the judges in mind when he asked, "What are you going to do about it?" Every citizen is taxed in proportion to the amount of property owned by him, upon the theory that the greater the amount of property owned, the greater the interest at stake, hence the greater the obligation resting upon the citizen to contribute to the support of the government. Upon what ground it can be urged that he who owns no property at all, hence pays no taxes for its support and maintenance, shall have the same right to a say in the government as one who does pay, passes human comprehension.

The results of restricted suffrage would be most beneficent. Aside from purifying the municipal, state, and federal governments, no one being eligible to office who did not have the right of suffrage, it would act as an incentive to those who were debarred to accumulate by thrift, sobriety, and industry, the requisite amount of property to entitle them to vote and it would beget among all classes a greater interest in public affairs, now sadly neglected by the better elements of the commonwealth. They who now eschew politics as the trade of the *oi polloi*, would then take pride in an exclusive privilege, which was not the right of every one to exercise who happened to exist where universal suffrage prevailed. To this qualification others, of course, should be added—educational and moral requisites. Felons to-day are disfranchised, but there is no objection or impediment to the illiterate or *quasi, non compos mentis*, Thomas, Richard, and Harry, who may vote as Dugald Dalgetty fought—for provender and pay.

The exclusion of the entire female sex from suffrage, except-

ing some localities in matters of small moment, many of whom are women of intelligence, property, and of honest purpose, has never been explained or attempted to be by the male monarch of the ballot who, probably, is too chivalrous to assign any reason in such a case.

Incidentally, the question of immigration is of commanding importance. Some barrier should be erected against this swelling deluge to our shores and some quarantine established to prevent our country from becoming the dumping ground of the earth's refuse. Ex-Senators Edmunds and Ingalls recently advocated the inhibition of this probable curse, and Mr. Edmunds was candid enough to state that the subject had been frequently spoken of in Congress, but the response always was, "Wait until after the election." Mr. Ingalls favors a prohibition for a period of twenty-five years. A better plan would be, it seems, after adding additional restrictions to this promiscuous crusade, to compel the immigrant to locate in a city of not more than 25,000 inhabitants. We have any quantity of vacant territory, and total restriction, it matters not for what period, seems to be inadvisable.

In conclusion, are not the anomalies of our present political system peculiar, if not incongruous? To the nominating conventions for president and vice-president, the territories, including Alaska, which Russia presented to us one cold winter day, for a consideration, send delegates who have the power to vote. These votes number twenty-one, which is large enough to hold the balance of power in favor of any candidate. But when the candidate becomes the nominee, the people of these territories, including the delegates aforesaid, cannot cast a single vote for him in the ensuing election. This applies with equal force to the District of Columbia, where the national capital is located and where the nominee of the convention, if elected president, must reside, for at least four years. The capital is named for the first president—Washington, and it has been wagered that there is an American city of over 100,000 population, in which not a single vote can be cast for any presidential candidate.

Still another remarkable feature is in case the electoral "col-



lege" fails to elect a candidate for want of a majority therein, the House of Representatives, sitting in a disfranchised city will elect the president. But how? By what procedure? The states vote as states, having one vote each, which vote is controlled by a majority of the representatives of that state. So a Democratic state may cast a Republican vote, and *vice versa*, if its congressmen by a Republican majority of them so decide. When it comes to the election of vice-president, the states in the Senate do not vote at all as they do in the other or "lower House," but each senator votes as his inclination tends. New York, therefore, would have given Mr. Stevenson and Mr. Reid one vote each, while this state, having a majority of Democratic congressmen in the "House," would have been unanimous for Mr. Cleveland. Why the distinction or difference? How irreconcilable with any other established or accepted theory of government.

ATKINSON SCHAUMBURG.

WHY MUNICIPAL GOVERNMENT FAILS.

BY STOUGHTON COOLEY.

THE great underlying principle of our political system is that of local self-government, or home rule. From the foundation of the government down to the beginning of the Civil War, this was the gauge by which all political action was measured; but during the turbulent scenes incident to the Rebellion the people's attention was so drawn from local affairs that they have never since gotten back to the old position. As the people then looked to the national government for deliverance from political disruption, so they now appeal to that authority for relief from all the ills of social and political life. They are coming to rely more and more upon men instead of principles, upon government rather than upon themselves. And nowhere is this tendency so plainly seen as in the shifting of power from the city and town governments to the state and national governments. Indeed, the growing readiness with which the people of the country accept legislation, looking to the transfer of the right of suffrage from the citizens of the cities to the citizens of the state, bodes no good to the cause of popular government.

It is not necessary here to define all the shadings of local and general rights; suffice it to say, there is a well-marked line, the overstepping of which by the political unit will encroach upon the rights of the community as a whole, and the disregarding of which by the community imposes tyranny upon the local unit. But the advocates of the new idea—or more properly speaking, the old idea—that men are incapable of self-government, base their claims upon other grounds than these. In matters which they themselves recognize as affecting primarily the rights and welfare of the city, they appeal to the supposed higher moral tone of the rural voters, not for the good of the state, but for the

good of the city itself. The city must have certain moral laws and regulations, not because a majority of the citizens wish them, but because a few who arrogate to themselves the guardianship of public morals can secure a majority vote by bringing in a large number of voters who know absolutely nothing of the needs of the city, but who are filled to overflowing with popular prejudice regarding its so-called crying sins and an enthusiastic desire to make others bow to laws for which they themselves have no regard, or which would on account of a different environment be no restraint at all. The advocates of the arbitrary system have not as yet got to the point of denying the right of the majority to control in those matters where the public must act, but the majority must be composed of such citizens as will secure the desired result,—instead of "stuffing" the ballot box they "pack" the franchise.

The people of this country profess to believe that governments derive their powers from the consent of the governed. What a striking contrast is this to the ideas which have prevailed for the past generation. Park commissioners, police boards, boards of public improvements and other city officers are appointed by the governors of states. What do the people of some rural county one hundred or two hundred miles away know about the needs of the park system, the police service, or the public improvements of a city? The entire expense is borne by the taxpayers of the city. And yet these people, unconcerned and uninformed as they are, and residing at such a distance, are called upon to choose public officers to regulate and superintend these matters. It thus happens that the people of cities are called upon to support institutions whose direction is in the hands of others than themselves and to bow to the authority of a government which did not derive its powers from their consent—re-establishing on the same soil the condition of the American Colonies prior to the Revolution. So implicitly have people come to believe in this old idea of government that they scarcely even protest against the saloon licenses imposed by state legislatures. The revenue from these licenses is for local use alone, and the regulation of the liquor traffic is surely of more concern to the people among

whom it is carried on than to outsiders. Under present conditions the citizens of cities are compelled to pay a tax levied by the state, which is expended for local purposes under the direction of the state.

These departures from the true principles of popular government stand to-day pilloried in the Great Declaration.

Now, the proposition that the highest development of man is attained under self-government is true or it is not; and, politics being what might be termed an experimental science, the truth or falsity of the proposition should be determined as speedily as possible. If after a thorough trial it be found that man is incapable of self-government, let the fact be established and let a new system be set up which shall be in harmony with that idea. It is neither wise nor honest to pretend one thing and do another. We preach democracy; we pretend to believe that all men are equal under our political institutions, and that a majority of these equal factors shall determine the course of political action. But no sooner is there a real or fancied failure of such political action than the self-constituted conservitors of political morality seek a cure for the evils by limiting the exercise of the franchise or by adding a foreign factor which nullifies the local right of suffrage.

The appeal which has so often been made from the city to the state has in some instances been followed by good results; but in transferring the appointing power from the mayor to the governor a strong incentive is created to control the governor by the same influences that controlled the mayor: By dipping the filthy vessel in the spring the fountain itself is soon polluted. The error of these would-be reformers lies in the fact that they overlook the cause of the disorder and waste their time in treating one of the symptoms. They see that municipal corruption flourishes under what is commonly called popular government, and infer therefrom that the evils are to be cured only by limiting in some way the power of evil-disposed persons. Without stopping to inquire how it is possible for so few bad men to overcome the influence of so many good men within the city, they appeal to disinterested outsiders. But the evils which

threaten American municipalities are not thus created. The vast majority of men in any civilized community will do right if they have the opportunity; if any considerable number of them do not there will invariably be found some arbitrary intervention between the man and his duty. It is so in the case of municipal governments. A system of electing aldermen, which was at one time thought to be just, has since proven itself to be destructive of the very rights which it is supposed to conserve.

Popular government means government by the populace or people; it means that in matters of dispute a majority of the people shall decide. Where the unit of government is so large that representatives must be chosen to act for the people, these representatives must be so chosen that a majority of them will represent a majority of the voters; otherwise their act is not that of a majority of the people, and hence does not conform to the first requirement of popular government. This is where our system fails. The voters are divided into arbitrary districts or wards, in which a plurality of votes elects; and the representatives or aldermen so chosen decide by majority votes questions in dispute. Thus, instead of the authority of the representatives of a majority of the people, we have the authority of a majority of the representatives of a plurality of the people.

Take as an illustration, the election of aldermen in New York City in 1892, in which there were cast 280,403 votes, not counting the blank and defective ballots. Of these Tammany polled 166,696 and elected all the aldermen. That is to say with a vote of only 59 per cent that faction secured 100 per cent of the representation. The Republicans polled 35 per cent of the total vote, but failed to elect a single man. Thus 59 per cent of the voters who voted at that election were represented in the city council, 41 per cent of them were unrepresented—they having voted against those who were elected and for those who were not. But the action of legislative bodies is determined by a majority of the members, and a majority of the members of this council, taking those who received the smallest votes, represented only 27 per cent of the voters. Hence it will be seen that laws for all the people may be made by the representatives of only a

trifle over one fourth of the people. So far as party representation is concerned this is somewhat uncommon, but, considering the representation of the people, other councils are even farther removed from the true principle of popular government. In the election of New York aldermen in 1884, the men who were elected received but 51 per cent of the total vote; while a majority of them received only 21 per cent of the vote. The election of 1888 was still worse. In that year the successful men received 51 per cent of the total vote, but a majority of the members, taking those who received the smallest votes, represented only 18.6 per cent of the citizens who voted. Thus it was that in an election in which it was supposed all men were equal participants, the result was such that the representatives of less than one fifth of the whole number could make the laws for the other four fifths. This might well be termed a slave-pen oligarchy. For the voters who are so deprived of their rights as citizens by means of wards or districts are simply so many political slaves, to do the bidding of the men who manipulate the "machine."

Such a state of affairs needs no comment; further illucidation of the shortcomings of the present system is unnecessary. The facts tell their own story. Nor do these evil results come from the so-called gerrymandering practice; the gerrymander may, and in many cases does, accentuate the injustice, but it is not the cause. It matters not how equitably the wards may be laid out, all the new or minority parties will be disfranchised.

It will be seen that whether the government be good, bad, or indifferent, it is not what it professes to be, a popular government. It may on occasions be a good government, just as any despotism may be, but it is never an honest government; it is a lie upon its face. But this is the least of the evils flowing from the polluted source. By dividing the city into arbitrary wards many citizens who earnestly desire the election of good men, and those who desire such aldermen but will not turn out and work at the primaries and at the polls on account of the prevalence of political debauchery in ward politics, are shut up in pens in in which the organized political machines are in the hands of the

lowest order of politicians; and so effective is this organization that the running of opposition tickets is all but useless. There are in all of the wards large numbers of respectable citizens, some of whom vote the regular ticket to maintain party organization, some vote for the lesser of two evils, some do not vote at all and some waste their strength in ineffectual attempts to elect an independent ticket; all of which acts contribute to the aggrandizement of the "machine" element.

It is no answer to say that if the preachers and deacons worked as hard as the saloon keepers they would have the same advantage. They will not; they cannot. Not only does it require an utter lack of conscience to be a successful city politician under present conditions, but this must be coupled with exceptional shrewdness and long schooling in evil ways. The remedy necessary for this state of affairs must be such as will take from the dishonest politician his unnatural powers, and place him on the same vantage ground as the honest citizen. To do this it is not necessary to take the franchise from the evil disposed, but to make the franchise of the well disposed as effective. The lovers of good government must be freed from the restrictions of ward boundaries which prevent them from joining their forces with their fellows throughout the city. They must have, in a word, proportional representation. If under a simple form of proportional representation the better class of Democrats shall elect as many aldermen as they are numerically entitled to; and if the better class of Republicans shall do the same, the two together will outnumber the saloon element. And, while in national politics one party may be for free trade and the other for a protective tariff, there will be nothing to prevent a combination of their forces in the council to secure an honest administration of municipal affairs.

It has been the misfortune of proportional representation to be presented to the public as a theoretically perfect method of electing representatives. Its advocates have laid so much stress upon its equitable features that they have overlooked its practical points. Hence many people have come to consider it as a speculative principle of government, to be desired, but not to be

attained until all, or at least a majority, of the voters shall have entered the realms of speculative philosophy. As a matter of fact, proportional representation can be applied to-day in a form so simple as to be within the comprehension of any voter, and yet be so perfect in its operation as to secure all the benefits of the most elaborate form.

Under the form of the quota system it may be required :

1. That all aldermen shall be elected from the city at large.

2. That each party, or body of voters, numerous enough to fill a quota at the preceding election of aldermen, or which is supported by a petition of such a number of voters, may nominate as many candidates as it sees fit, up to the whole number to be elected.

3. That the voter shall vote his party ticket as a whole, designating thereon such names as he prefers.

4. That the vote of the city shall be divided by the number of aldermen to be elected, to get the quota, or number of votes necessary to elect one alderman.

5. That the vote of each party shall be divided by this quota to determine the number of aldermen to which each is entitled.

6. That the successful candidates shall be taken from their respective tickets in the order of preference as expressed by the voters.

Take as an illustration the election of New York aldermen in 1892. There were 280,403 votes cast in the city, not counting the blank and defective ballots. This number divided by thirty, the number of aldermen to be elected, gives as the quota 9,347. That is to say, if 280,403 votes are to elect thirty aldermen, 9,347 votes, or one thirtieth of the whole number, should elect one alderman. The Tammany Democrats polled 166,696 votes, which, divided by the quota, 9,347, gives seventeen full quotas, and a remainder of 7,797 votes. The Republicans polled 99,463 votes, which by the same process, makes ten full quotas, and a remainder of 5,993. The County Democracy polled 4,384 votes; the Prohibitionists, 2,501; the People's party, 831; the Social Laborites, 5,682; and the Independents, 846. There being still three aldermen to be chosen, they are taken from the parties

which have the largest unfilled quotas—Tammany, the Republican, and the Social Labor parties. This gives eighteen Tammany men, eleven Republicans, and one Social Laborite, which is as nearly exact as that number of votes can be apportioned among that number of men. It will be seen by this apportionment, that Tammany, with 59 per cent of the votes, gets 60 per cent of the representation; the Republicans, with 35 per cent of the votes, get 36.7 per cent of the representation; while the Social Laborites, with 2 per cent of the votes, get 3.3 per cent of the representation. This is a very different result from what did actually occur, in which Tammany, with 60 per cent of the votes, elected 100 per cent of the aldermen.

It will, of course, be seen that this is not a fair illustration of the workings of the proposed plan of proportional representation, for the reason that the voters, knowing the uselessness of voting any other ticket than the one of the majority party, did not vote as they really wished. Had they been assured that their votes would have been joined with others throughout the city they would have voted their real choice. Many who voted for Tammany would have supported some other party, some would have voted for independent candidates, and had the party managers known that the voters in the "fixed" wards could vote for other tickets just as effectively as for the ones they did vote, there would have been a different class of candidates presented.

Under such a system the voters of whatsoever political faith may combine with their fellows throughout the city and secure representation according to their numbers. There are no wasted majorities, no hopeless minorities; every vote bears directly upon the final result. A vote in one part of the city counts for as much as one in any other part of the city. The massing of debauched voters in certain wards, that they may be able to decide the election by voting as a unit, will be done away with; the dishonest appeal to the various nationalities, the German, Irish, or Polish elements will meet with little response. No matter how well disciplined these elements may be they can secure representation only in proportion to their numbers.

There will be no such aldermen as are now seen put up in "fixed" wards; every candidate will be voted for or against by every voter in the city.

It is true that there will be the same desire on the part of dishonest men to secure the election of corrupt men, but the means of attaining their desires will be so limited that honest men will no longer tolerate their leadership. Every independent movement which polls enough votes to fill one quota is sure of the election of one man; and every man so elected by the independent parties means one less for the old parties. This will produce two good effects: it will stimulate independent thought and action, and it will curb the "machine" element in politics. When politicians realize that their candidates must pass the inspection of the whole city, and that the voters can vote one ticket as effectively as another, or may even nominate candidates of their own, then, and not till then, will they have a care as to the character of the men they put before the public.

It has long been the desire of the reformers of our system of electing representatives, that some form of proportional representation should be used; but they have always been met by the politician with the objection that the system is too complicated for the comprehension of the ordinary voter. This objection cannot be urged against the quota system. It requires no more information on the part of the voters than do the present methods; nor does the work of the election officers become any more complicated under it. It avoids the uncertainty of the original Hare system on the one hand, and the complexity of of the Swiss system on the other; while, so far as practical results are concerned, it is not inferior to either.

It is evident, therefore, that the complaint of the failure of popular government in cities is not well founded. Failure there has been, signal and complete, but it has not been the result of popular suffrage; it has been the result of systematic and universal disfranchisement of the voters through the election of aldermen by means of the district system. Abolish these districts, or wards, and allow the voters to combine with their fellows throughout the city in the choice of aldermen, and then



should failure result, it will be time to condemn popular government, and appeal to the rule of classes. When a majority of the representatives represent a majority of the people, then, and not till then, can we test the ability of the people to govern themselves.

STOUGHTON COOLEY.

ORGANIZED LABOR AND THE LAW.

BY NORMAN T. MASON.

THE unusual prominence which has been given the recent federal decisions involving the relations of labor and capital has a tendency to create the impression that these decisions must be unwarranted innovations upon the old law and precedents, which, if followed, will prove highly dangerous, if not destructive, to the rights of organized labor. Such an impression is most deplorable, not merely because it is an injustice to the courts which rendered the decisions in question, but because it creates a feeling of distrust and disrespect necessarily subversive of the law and institutions upon which our entire political system is based.

The fundamental concept of our government and laws, as they now exist, is the greatest liberty to each individual compatible with an equal degree of liberty to every other individual; any conduct of self or use of property, which is not injurious to another or to his property, is lawful. The law has no compulsory process to enforce obedience to the positive precepts of the Golden Rule. It cannot compel one to do unto others as he would have them do unto him. It is forced to content itself with the negative in morals—with the "thou shalt nots." The most it can do is to say, "Do not do unto others what you would not have them do unto you; if you do you shall be liable to fine, or imprisonment, or damages."

So long as this remains the theory of our government it is plain that one must be allowed to give or withhold his services as he sees fit; to employ or to refuse to employ; to bestow his capital or his labor where, how, and when he pleases, free from the dictation of others, whether they be courts or individuals. This is justly considered one of the first and highest of civil rights.

Individuals or associations may accordingly agree among themselves not to work unless they can get a certain rate of wages; they may choose their own employers, fix their own terms and serve man or Mammon according to the dictates of their own conscience. But while the law accords this liberty to one, it accords a like liberty to every other one. One may, it is said, reason with his fellow-workman and persuade him, if possible, to choose to abstain from work; but as soon as persuasion is abandoned for compulsion, and reason for threats, as soon as absolute freedom of choice is fettered by fear, no matter by what means or under what guise it is accomplished, the liberty of the one is invaded by the act of the other, and a civil wrong has been committed.

Now, from a time whereof the memory of man runneth not to the contrary, the law has held it to be a criminal conspiracy for two or more persons to corruptly agree to do some wrongful act or to do a lawful act by wrongful means. It matters not whether the act agreed to be done is itself indictable as a crime, or whether it is simply a civil wrong for which the wrongdoer is liable to damages only. The corrupt agreement is in either event a crime. If, then, a single individual seeks to interfere by threats or otherwise with his neighbor's liberty to work or to refuse to work, or his employer's liberty to hire or to refuse to hire, it is a civil wrong. If an association conspires to interfere in like manner with the liberty of an individual, or of many individuals, it is likewise a civil wrong, and, in addition, a criminal conspiracy.

This is the law as it has been settled for years, and as it has been promulgated and enforced by the courts of most of the older states, as well as of England.

Until comparatively recently, however, the law has sought to enforce obedience to these principles by punishing the wrongdoer after the commission of the wrong, either by imprisoning him or making him liable to damages. It has not undertaken to lay hands on him and compel him not to do the wrong before it has actually been committed. Such an undertaking involves an inquiry into the unexecuted intent of a man, which is one of the most unsatisfactory things in the law; it is more or less sum-

mary in its proceedings, is without the intervention of a jury and has been considered unnecessary because it has been assumed that the right to sue for and recover damages resulting from the infraction of one's liberty was an ample and sufficient remedy.

One of the earliest cases in which this old remedy was held to be inadequate, and the preventive remedy by injunction was employed, was that of Emack *vs.* Kane, decided by Judge Blodgett, of the Federal Court, in February, 1888. The defendant had been sending to complainant's customers circular letters threatening them with suits for infringement of defendant's patent on a noiseless or muffled school slate. The court found that these threats were not made in good faith, with the intention of carrying them into effect, but were simply for the purpose of intimidation and with the malicious intention of injuring or destroying the complainant's business; and an injunction was granted restraining the defendant from sending any further circulars of the sort, partly upon the ground that the ordinary remedy of an action for damages would require a multiplicity of suits, but principally because it would be entirely inadequate as compensation for the injury actually suffered.

In July, 1888, the Supreme Court of Massachusetts sustained an injunction against the president and secretary of the Laster's Protective Union, restraining them from causing to be carried in front of plaintiff's shoe factory a banner upon which was printed a request that all lasters keep away from plaintiff's place of business, "per order L.P.U." From the surrounding circumstances this was held to be a threat made in accordance with a scheme to prevent workingmen from engaging with plaintiff, and illegal at common law. The injunction was granted here also because the injury to plaintiff's business could not be adequately compensated by damages merely, and because the act complained of was continuous in its character, and to obtain redress would require a continuous succession of damage suits.

In January, 1891, the Federal Court for the Southern District of Ohio, Judge Sage, enjoined the Cincinnati Typographical Union, No. 3, and its officers and agents from boycotting the complainant and his newspaper. The acts complained of were

the publication and distribution of circulars, etc., addressed to workingmen and all persons interested in organized labor, requesting them to have no dealings with, and to withdraw their patronage from, the complainant, because of his having broken repeated promises to unionize his office. The court conceded that, as the complainant had declared that he would employ no union men, the union had a right to say that its members would not patronize the complainant; but it held that the combination went further than this; that it was an organized conspiracy to force printers to come into the union or be driven from their calling by want of employment, and to compel the complainant to surrender to the union or to submit to the destruction of his business.

The labor troubles in the Couer d'Alene mines of Idaho, which occurred in May and June, 1892, at about the same time as the Homestead troubles in Pennsylvania, were the occasion for the granting by District Judge Beatty of the same unusual remedy by way of prevention of future, instead of punishment of past, wrongs. At the suit of the Couer d'Alene Consolidated and Mining Co. he enjoined the members of the Miners' Union from interfering by the use of force, threats, or other means, with the complainant's employees in the working of its mines.

This was the condition of the law, and these were the principal precedents in existence at the time of the decisions in the Toledo, Ann Arbor & North Michigan Railway Company's case, by Judges Taft and Ricks, in the United States Circuit Court, District of Ohio, and the decision by Judge Billings, in the case of the United States against the Workingmen's Amalgamated Council of New Orleans and others, both decided in March last.

The latter case was based entirely upon the provisions of the act of Congress to protect interstate and foreign trade against unlawful restraint and monopolies. It had no bearing, therefore, upon the question of the power of the courts to interfere with organized labor, except in cases affecting interstate and foreign commerce. It was conceded that this act of Congress had its origin in the evils of massed capital, rather than in those of combined labor, but the court held the language of the act: "Every

contract or combination in the form of trust or otherwise in restraint of trade or commerce among the several states, or with foreign nations, is hereby declared to be illegal"—to be so broad as to evince an intent on the part of Congress to deal with the evil in its entirety, without regard to its source, whether in organized capital or organized labor. The facts upon which the case was decided were found to be that all the union men were made by their officers to discontinue business, including the transporting of goods destined for other states and foreign countries, in order to compel acquiescence by the warehousemen and draymen of New Orleans in the demands of their employees and subordinates. The employment of non-union men was resisted by the intimidation springing from the vast throngs of union men which assembled in the streets, and in some instances by violence. The result was an enforced stagnation of all the commerce which flowed through New Orleans. The court held that the combination of the defendants was in restraint of commerce, within the prohibition of the Congressional act, and enjoined the defendants from further interfering with foreign and interstate traffic. The question of the propriety of the particular remedy adopted was not discussed, and the court was saved the embarrassment of attempting to enforce its decree by the cessation of the strike and resumption of labor before the decision was announced.

The case in the Ohio district was brought by the Toledo, Ann Arbor, and North Michigan Railroad Company against the Pennsylvania Company, and others, and an injunction was issued against the defendants, restraining them from refusing to extend to the complainant the same facilities extended to others for the exchange of interstate traffic. If the complainant was entitled to an injunction against the defendant railroad companies, it necessarily followed that it was entitled to an injunction against the officers and agents of those companies, because through them only could the companies act. The companies could not be compelled to act as common carriers; that is, if they chose, they might avoid the effect of the injunction order by going out of business entirely—throwing up their franchise.

But as long as they did business at all they could be compelled to do it without discriminating against any particular kind of business. So with their employees; they could not be compelled to work for the companies, or to run their engines—they could avoid the effect of the injunction by refusing to work at all, by ceasing to be employees of the company, since no court would undertake to compel a man to render, against his will, services which require the exercise of skill or judgment; but if the workmen remain in the employ of the company, doing its business for it, they can be compelled to make no discrimination between the various classes of business entrusted to them. If they undertake to haul freight trains for the company, and disobey the mandate of the court by refusing to haul some particular car, they will be punished for contempt. Accordingly, upon an application to punish certain engineers and firemen of the Lake Shore Company, one of the defendants, for contempt in refusing to handle a train containing cars billed for the Ann Arbor road, District Judge Ricks released four of the engineers and their firemen, who had quit the service of their company in order to avoid compliance with the injunction order. In the course of his opinion, the judge considered the general principles of law applicable to the duties of railroad engineers and firemen, stating that it was an implied condition of their employment, as it is of the employment of all agents and servants, that they would not leave their service or refuse to perform their duties, when such action would imperil lives committed to their care, or destroy property involving irreparable loss and injury, and he intimated that for such cases there might be some other remedy than the ordinary suit for damages for breach of the contract of employment, which may be brought by the employer. He did not attempt to decide, however, that the court would undertake to enjoin the employee from quitting under such circumstances, but confined himself to the position that the courts could grant partial relief, at least, in such cases, by restraining employees from acts of commission of violence or intimidation, or from enforcing rules of organization, which would result in irreparable injury to their employers and

the public. As to the remaining engineer, the court found that though he said "I quit," when asked to haul an Ann Arbor car, yet that he did not in fact do so, or intend to do so; he was accordingly adjudged guilty of contempt and fined $50.00 and costs.

The other order in the Ann Arbor case was made by Circuit Judge Taft upon a motion for a temporary injunction against P. M. Arthur, chief executive of the Brotherhood of Locomotive Engineers, and one of the defendants in the case, to restrain him from promulgating, or continuing in force any rule of the brotherhood which required defendant's employees to refuse to handle any interstate traffic destined to or from the Ann Arbor road. The rule in question, which was adopted at Denver three years ago, made it the duty of the members of the brotherhood to refuse to handle property belonging to any adjacent or connecting road against which there was a legal strike, until the grievances of the employees of that road were amicably settled. Chief Arthur's consent was necessary to a legal strike, and upon him devolved the duty of authoritatively advising the brotherhood that the time had come for the enforcement of the rule. The relief sought was based entirely upon the Interstate Commerce act, which, however, in these particulars, is only declaratory of the common law. That act requires all common carriers to afford equal facilities for the interchange of traffic between their respective lines and those connecting therewith, and makes any violation of the act, either by a corporation or any of its officers or persons employed by it, a misdemeanor. Anyone who aids or abets another in violating or procuring the violation of this act, is, of course, equally guilty with him as a principal, and is also guilty of conspiring to commit an offense against the United States. The position, therefore, of those who conspire or agree together to procure or compel the violation of this act, by a refusal to handle the freight of a connecting road upon which there is a legal strike, is the same as if the act itself had never been passed; it is equally a crime in either event. This is upon the principle that, while one may ordinarily withhold or bestow his services as he sees fit, yet if he withholds or bestows

them for the purpose of procuring or compelling that which is a misdemeanor, he is guilty of a wrong, just as he would be if he withheld or bestowed anything else of value for a similar purpose. That is, the difference between a strike and a boycott is precisely the same as the difference between a gift and a bribe. Conduct in violation of the provisions of the Interstate Commerce act is not only criminal, but if it is followed by injury to any person or company, it is also a civil wrong for which damages can be recovered, just as is the case with acts done in furtherance of a conspiracy at common law. An infraction of the Interstate Commerce act by organized labor is therefore followed by much the same consequences as similar conduct would be if that act had not been passed. The only principle, therefore, in the Ann Arbor case which is in any wise new, is the remedy which was adopted in granting the injunction against Chief Arthur, restraining him from promulgating Rule XI. of the brotherhood, and so aiding in procuring a wrongful violation by the defendants of the Interstate Commerce act. This remedy is based upon the inadequacy of the usual remedy of a suit for damages, and is in accordance with the precedents established by the cases first referred to in this article. The hardship of compelling railroad companies to perform their duties as common carriers by the writ of injunction, has not been commented upon, so far as I have seen, in any of the numerous articles upon the subject. Yet, if the injunction is justifiable against them, it must of necessity be equally justifiable against their employees, through whom alone they can act; and as the wrong committed and the damages sustained are the same whether they result from the independent acts of the company's superior officers or from the combined acts of its employees occupying subordinate positions, there is no reason why the remedy should be different in the one case from that in the other. And if an injunction is justifiable against the employees, it must likewise be justifiable against those who are seeking to render it of no effect by compelling its wholesale disregard. It is upon these principles that the Ann Arbor case was decided—principles which must appeal to the reason of all those who believe in civil liberty as embodied

in our present government and institutions. One man has not the right to deprive another of his rights; one has not the liberty to interfere with the liberty of another; if such deprivation or interference is attempted under circumstances which render the ordinary remedy of a suit for damages wholly inadequate, there should be no hesitation in refusing to wait until the horse is stolen before locking the door. An ounce of prevention is sometimes better than a pound of cure. These principles apply to employers the same as employees, and their fearless exposition and application by the courts will accomplish not a little toward the final adjustment of what now seem to be the warring rights of capital and labor.

NORMAN T. MASON.

THE UNITED STATES OF THE WORLD.

BY GUY C. SIBLEY, OF THE DENVER BAR.

IN CONNECTION with the mighty strides recently made by Christianity, education, science, and invention toward realizing the idea of a "universal brotherhood of man," is it premature to contemplate the actual unity of all the nations of the earth under a single great association of states?

In this wonderful age of steam and electricity, when Hong-Kong and London are nearer to New York than San Francisco and Philadelphia were but fifty years ago, it cannot be considered absolutely Utopian for the imagination to look forward to a time when there may practically exist one great government for all the peoples of the earth.

It has been absolutely demonstrated that this idea could never be carried out by the theory of Universal Conquest as Alexander, Cæsar, Mohammed, and Napoleon dreamed of, nor by the impractical doctrine of extending the spiritual and temporal influences of the church, until an hierarchy should dominate independent states and make mere puppets of their rulers.

The evolution of man as a gregarious being, from a nomadic barbarian, banded in tribes of a few hundreds or a few thousands, into highly civilized nations, numbering more than a hundred millions, makes possible in him a still higher development in statecraft. A correct knowledge of the true science of government is of recent growth; certainly it has been practically demonstrated only within the past hundred years. It had just begun to dawn upon the minds of men, and received its first practical test when the Amphictyonic League, from motives of self-preservation, sprang into existence. Afterwards in the thirteenth century arose the Hanseatic League and about the same time, or a little later, the Swiss Confederation.

Finally, "times noblest offspring," the United States of America, demonstrated beyond all cavil the capacity of man for self-government by written codes. May there not be in the fecund womb of the future a still nobler offspring, which shall be to the American Republic as a giant to a pigmy?

Heretofore, the confederation idea was based upon the first natural law of self-defense, and confederations were formed for purposes offensive and defensive. Until recent times it was held as a maxim that nations were natural enemies, whereas peace is now considered their proper condition. With this new light that has dawned upon us, comes a desire to practically utilize this more modern and better idea, and to extend its principles throughout the world for the mutual benefit of all the nations, not for the primitive purposes of conquest and destruction, but for a higher and a nobler one of development.

No one can deny that constitutional government is proven to be not only feasible, but eminently successful. The best plan for establishing a union of all the governments of the earth would be for the United States by accretion to admit them one by one, until we should have the "United States of the World" instead of the "United States of America." Unfortunately, the world is not sufficiently advanced and educated up to that point where the "greatest constitutional republic" that the world has ever seen could alone undertake the work. The next best plan would be for all the governments of the earth to organize a great confederation of states and establish a supreme government under a written constitution. This would be nothing more than the expanding of the same principles that have for so long a time obtained in the making of treaties.

As a model, while it might be improved upon, we have none better than the Constitution of the United States, and it stands to-day at the head of all governmental devices. Its adaptability to a universal government is far superior and more expansive than can be found in any monarchical system. In formulating a constitution of the great republic of the world, we might still preserve the three coördinate branches of government, the executive, the legislative, and the judicial, each a

part of the government, and yet independent of each other. The executive should consist of a president, vice-president, cabinet officials, and their numerous subordinates. The legislative department might still consist of a Senate and a House of Representatives, and the judicial be composed of judges appointed by the president and confirmed by the Senate. As the American Constitution is composed of principles evolved from the first experiment in Greece, more than two thousand years ago, down through the ages, including Magna Charta and the Petition of Right, so this supreme constitution could be made up of all that is practically best in all of them, and applied to the noblest and grandest experiment of all time. Such a work could not be fully accomplished in a few years, but, during the nineteenth century, it could be commenced and the question agitated.

Even if it should not be consummated during the twentieth century, and even if it should fail of accomplishing all the good that might possibly result, still it would be a mighty stride toward what must eventually come. The Roman Empire was composed of a large number of smaller nations, and so are the Empires of Russia and Germany of to-day. If the first eight powers of the world, England, The United States, Russia, Austria, Germany, France, Spain, and Italy, should come together in such a bond of national fellowship, the smaller powers would eventually come into the League from self-interest alone. The American Republic was not organized in a day, neither was its Constitution formulated and adopted in a week. The possibility of a union of the colonies and plantations of his Britannic Majesty, in America, was in the minds of men nearly fifty years before its accomplishment. The Constitution itself was not ratified and adopted by all the states until nearly three years after it had been ratified and adopted by a majority of them.

A nation is "a society of people so organized as to govern themselves independently of foreign powers." Unless the states of this Union had voluntarily parted with some of their attributes of independence after peace was declared between

England and United States, each state, to-day, would be a nation. Could not the nations of the world cede some of their primal rights, still preserve their autonomy, and yet be more perfect "parts of one stupendous whole"? The first practical step to be taken in organizing this supreme government, these "United States of the World," would be for this Republic to suggest a convention, and invite all the nations of the earth to send two delegates each, to this country. A suitable point for such a meeting would be in the city of Chicago, and a most appropriate day and time to open this Constitutional Convention would be the 4th day of July in the year 1900. The proceedings could be carried on in three different languages, English, French, and Spanish, as these three languages are more universally known than all others. What a magnificent spectacle to usher in the new century! A convention of delegates from all the nations of the world, in convention assembled, to frame a governmental code for the world! What single event in human affairs could so enrapture the imaginations of all good men, as the contemplation of such a work? Under that great constitution, as under the American, there would be no religious qualifications for citizenship or holding office. The Christian, the Jew, the Mohammedan, the Buddhist, wise and true men from Iceland, India, China, Patagonia, and the Soudan, and from the great civilized nations of the world, all would sit together in legislative conclave. Under that great constitution we should never again hear of partitioning one of the states of the republic of the world, except by its own consent. A war would be viewed with that same horror with which we now regard the Inquisition. It would be as unusual and absurd to mention or contemplate war between Russia and England, or between France and Germany, as it would be to speak of war between Texas and New York, or between Alabama and Illinois. Under that great constitution there could be no tariff laws, restricting and hampering commerce, but nations would sell each in the other's marts where the best price could be had, and would buy where they could purchase the cheapest. The expenses of the supreme government would be paid from the sale of public lands, for the government

would then own that entire portion of the earth which is uninhabited and which has not already become a part of some nation. The expenditures of the government, economically administered, could hardly exceed those of the United States of America today, for there would be no fraudulent pension claims, no standing armies and no bounties to be paid.

Under the great constitution such men as Grover Cleveland, Gladstone, Bismarck and Castellar would be nominated for supreme president, while presidents, emperors, and kings would be elected senators. Ambassadors and ministers would be no longer necessary, and those able men who now represent their countries in such capacities, together with princes and governors of states, would be representatives in the great congresses. The Supreme Court would be the highest court of judicature in the world, and would determine such matters as the "Eastern Question" and the "Behring Sea Controversy."

After the supreme government was fully organized and in operation, then should begin the codification of the unwritten laws of nations, and instead of a long line of usages and precedents dating as far back as the earliest histories, obtaining their authority merely by the sanction of the public opinion of mankind and enforced by the countless evils of war, we would consolidate, systematize and adapt to the great government, the splendid labors of Grotius, Puffendorf, Bynkershoek, Burlamaqui, Vattel, Wheaton, Kent and Story and in a condensed and comprehensive form have a code of laws which should operate throughout the world, enacted by the great congress of nations. One system of currency would be common to all countries, and weights and measures be uniform. Under that great constitution the Nicaragua Canal and a bridge across Behring Strait would be constructed by private enterprises, having charters from the supreme government, and the stockholders would comprise capitalists from the Cape of Good Hope to St. Petersburg; from Cape Horn to Iceland, from New York and London to Pekin, Calcutta and Constantinople. Railroads would be projected from the Atlantic seaboard to Paris, through Alaska and Siberia, crossing the bridge at Behring Strait.

This is the temporal destiny of mankind ; the establishment of one great supreme government to be known as the "United States of the World." The little leaven placed in the seething and boiling mass of humanity 400 years before the Christian era shall at the end of 2,300 years leaven the whole. That faith in self-government sown in American soil, and which, in 1776, seemed but as a mustard seed, shall grow into a great governmental tree, and all the nations of the earth shall rest under its branches.

GUY C. SIBLEY.



A PLEA FOR NEPOTISM.

BY CHARLES ROBINSON.

MR. JEFFERSON, writing to a friend after he had retired from the presidency, said: "In the course of the trusts I have exercised through life with powers of appointment, I can say with truth and with unspeakable comfort that I never did appoint a relation to office, and that merely because I never saw the case in which some one did not offer, or occur, better qualified." President Cleveland, shortly after his last accession to office, announced that he intended to adopt the Jeffersonian rule not to appoint a relative to office. "That settles it," he remarked, when a certain well-known congressman urged on him the appointment of a candidate for office, on the ground that he was related to the president. "That settles it; his name cannot be considered." The president then read the congressman a lecture on the evils of nepotism, and declared that it was his intention to discourage it as long as he was chief executive. It is hardly probable, however, that the president's example in refusing to appoint his own relatives to office will be followed very closely or generally by other members of his party who have places within their gift.

Nepotism has never been regarded as a serious offense either by Democrats or Republicans. It is not confined to any party or indeed to any country. It has prevailed since the earliest times, and will continue to be practiced as long as public men are blessed with relatives and patronage. After all, it is only natural that favoritism should be shown to relations to the neglect of others having equal claims, and that political "plums" should be bestowed in consideration of relationship to the bestower rather than of merit or of legal claim. Mr. Cleveland's announcement that "no relatives need apply," was probably

not intended as a rebuke to anybody and will be found to be only the statement of the policy of the president, yet it caused considerable discussion at the time, owing to the extent which nepotism is practiced in Washington. Indeed, the "family fever" was never so epidemic as it is at present. The vice-president's first official act was to appoint his son his private secretary. He has since secured the Belgium mission for his brother-in-law, and installed various other members of his family in minor positions. So again, the secretary of the treasury chose his son to be chief clerk of the department over which he presides. A majority of President Cleveland's other appointees likewise signalized their accession to office by selecting their relatives for lucrative positions. Indeed, from all appearances it looks as if the members of the new administration were determined to look out for their "sisters, their cousins, and their aunts," so to speak. During one week in March a prominent senator procured a foreign mission for his brother-in-law, another had his son-in-law appointed a judge of the United States Court of Indian Territory, the brother-in-law of a third was made chief of an important division in the War Department, and the brother of a fourth was made marshal of his state. A large majority of the clerks thus far appointed to the Senate committees are sons of the chairmen, and the number will doubtless be increased later on, while many Democratic representatives are expecting at the next session of the House to add $1,000 to their annual income by appointing members of their families as their personal clerks under the new law. Two distinguished senators having no sons available have selected their daughters as clerks of the committees of which they are chairmen.

Does anybody really think any worse of these men for thus "doing their duty" toward those nearest to them instead of giving away these comfortable berths to strangers? Let us put ourselves in their places before we criticise them and ask ourselves whether we would not do the same thing if we could.

Apart from the natural desire to see one's relatives "well fixed," they are probably every whit as capable, and certainly

more likely to prove trustworthy, officials than any outsiders, who must necessarily be chosen on hearsay evidence of character and ability; certainly their claims to "recognition" are stronger. When Pope Leo was once questioned as to why he had created his brother a cardinal he replied simply, "Because he is my brother." Milman tells us that Alexander V. was safe from nepotism because "he was without kindred or relations." This was an excellent reason, and is the only one that can seriously be urged against the practice.

When President Harrison appointed several members of his family to important positions he was pursued with abuse by the Democratic press, as if he had done something disgraceful, yet we doubt if anyone thought worse of the ex-president for passing over the hungry horde of office-seekers in favor of his relatives. Indeed, he was rather admired for having the courage of his convictions in this particular. So, again, the Liberal papers in England nicknamed the late lord chancellor of England the "Lord High Jobber," owing to the genial alacrity with which he persistently provided his large family with pleasant "berths" without stopping to consider their peculiar fitness or unfitness for the positions.

We are told by political moralists that nepotism is an evil and a pernicious practice. Some of these mental dyspeptics even go so far as to contend that if a high official cannot conduct the office he holds without the help of his son, his son-in-law, nephew, or other relative, he should either pay the salary of his family dependents out of his own pocket, or he should resign. This argument is, on the face of it, absurd. Although the majority of writers would have us believe that the trend of public opinion is against nepotism, I doubt very much if this is really the case. Indeed, I believe that the late president who thrust his relatives into the public service whenever an opportunity offered, and the present vice-president who is assiduously following General Harrison's example in this respect, are really on the popular side of the question. Of course, the practice of appointing relatives to office may be and sometimes is abused, just as the pardoning power and various other powers vested in

executive officers are abused, but as a rule the statesman who provides places for his own family before taking care of his constituents is much more apt to make an honest official than is the would-be reformer who waxes eloquent on the abominations of nepotism.

CHARLES ROBINSON.



THE RAUB GRAVITY OR THREE-CYLINDER ENGINE: THE LOCOMOTIVE OF THE FUTURE.

BY THE REV. W. R. COVERT.

IN THIS fast age, when, as Carlyle says, "the race of life has become intense." A new motor that promises to carry one across the continent in less than half the time now required must be of general public interest. A locomotive that can make 100 miles per hour, with no smoke and with a saving of 60 per cent of the fuel, must in a short time supercede all railway engines of the present pattern.

Fast time trains have been a fascinating *desideratum* of modern travelers ever since the locomotive made 20 miles an hour. By great exertions she was then forced to 30 and 45 miles, which speed was considered a grand engineering success, until the fashion of our times "to take the world in at a sight," speculated on 60 miles as a "go" and 100 miles as the "style."* The speed of a railroad train is, however, not easily determined, and although certain possibilities of an engine may be forced by an extreme velocity of its cylinder pistons and the diameter of its drivers, its practicability depends rather on the nature and conditions of the road and the weights which she is expected to haul over certain grades within a given time in order to secure the economical effects requisite to pay not only expenses but reasonable dividends to the capital invested.

Hence the millennium of 60 and 100 miles schedule time trains will remain an unsolved problem as long as engineers and mechanics fail to improve the ordinary engine to pass an elevation of 50 feet per mile with intermediate grades of 100

*The editor of THE AMERICAN JOURNAL OF POLITICS acknowledges an invitation to be one of the passengers on a train of ten Pullman cars to be drawn from this city to Chicago in ten hours by a Raub locomotive. The trip is to be made in September or October, next.

feet at an average speed of 60 to 100 miles per hour, moving at least five Pullman cars or 200,000 pounds of weight, besides the weight of the engine and her tender.

The most powerful ordinary engines of our times have thus far not been able to comply with these demands, and this by reason of the following irreparable defects in the merely routine construction of the same, to wit:

First—They lack the establishment of their center of gravity, and thus the location of their motive power at or within the transverse vertical plane.

Second—The unavoidable result of this deficiency is not only her unbalanced condition with its consequent pounding and oscillations, but the imposition of a dead weight averaging 33 per cent of her total weight, and hence the maintenance of the same at a dead loss of its expenses incurred and the reduction of her freight power, equivalent to its ratio of decreased actual tractive force.

Third—The width of her firebox is limited by the width of her frame and the gauge of the road, in consequence of which the length of the grates exceed the limits of its combustive center and thus the combustion becomes defective.

Fourth—The economical use of fuel and the production and maintenance of the requisite hot gases within a given time demand a better diffusion of its caloric heat, and thus a more scientific construction of its boilers.

These deficiencies of the ordinary engine have now been successfully, completely, and practically supplied by the Raub Power Locomotive, which lately demonstrated on the Erie railroad that the leading principle underlying its construction, presenting an engine of 16 x 24 inch cylinders, 62-inch drivers, 62 tons of weight, two four-foot boilers with only 900 square feet of heating surface, competed not only with a conceded average economical gain of 50 per cent in tractive force against an Erie service engine of 20 x 24 inch cylinder, five-foot boiler, and 2,000 square feet heating surface, but its system inferred all the requisite means to construct and operate a type of central power engines with a capacity to pull even ten Pullman cars at



an average speed of seventy-five miles an hour over an elevation of fifty miles and intermediate grades of 100 feet per mile without increasing the standard velocity of the pistons, nor the practicable diameter of her drivers of six feet.

This momentous engine will henceforth be known as the *Raub Gravity Engine*, which, besides many other essentials, differs principally from the original central power engine by her introduction of three instead of two cylinders and a compound gliding and rotary flue boiler, of 200 pounds standard steam. The economical advantages of this class of engines are now the following, to wit:

First—By placing the third cylinder exactly into the plumb-line of her center of gravity, its centrifugal force attains a supremacy of power absorbing any tangent pressure due to common irregularities of engine and track, which may otherwise interfere with its steadiness of motion. Thus the centrifugal force directs not only the course of the engine and confines the train to the center line of the track, but keeps them there against any secondary influences to be brought about by its steady march, which condition is obviously identical with the greatest possible safety of the engine and train at any attainable speed.

Second—One revolution of the drivers is due to every two revolutions of a two-cylinder engine. Supposing now that the three pistons of the gravity engine connect with its relative cranks at an alternate angle of 60 degrees and start from a dead center, then pass the motions of the pistons in the following order:

I. Cyl. *degrees.*	*II. Cyl.* *degrees.*	*III. Cyl.* *degrees.*
dead center	60	120
60	120	dead center
120	dead center	240
dead center	240	300
240	300	dead center
350	dead center	60
dead center	60	120
3 D. C.	2 D. C.	2 D. C.

Thus each crank passed six dead centers in motion, and hence the drivers made three full revolutions, or if the piston velocity was 396 revolutions per minute, the crank axle made 396-6,

equal to 66, and the drivers 33 revolutions, while two cylinders of the same piston velocity would have made 44 piston and 22 driver revolutions.

Hence, the all-absorbing problem of fast time schedule trains has now been successfully solved by creating a motive power which enables the increase of the revolutions of the drivers without increasing the velocity of the cylinder position, or applying multiple gearings, since the steam enters the three cylinders within the same time as required for two cylinders.

Third—When one piston of a two cylinder engine driver arrives at its terminus and its crank is at dead center, the piston of the other cylinder makes half its stroke, and hence the motive power works only with half a cylinder of steam.

When, however, the first of the three cylinder pistons arrives at its terminus, the second passes into two thirds, and the third into one third of its stroke, and hence the motive power works with a full cylinder of steam, and thus not only the working capacity of the motive power, but its tractive force, has been doubled.

In order to explain these economical advantages more comprehensively we will now calculate the working capacities of ordinary and Raub engines of equal dimensions and weight.

ORDINARY ENGINES.

Two cylinders 18 x 24 inches, driver 6 feet, mean steam 125 pounds, weight 75 tons.

1. Tractive force 18 x 18 x 24 x 125÷72 13,500 lbs.
2. Dead weight, 33 per cent. 4,455 "

3. Corrected tractive force.. 9,045 lbs.
4. Resistance by friction, irregularities of road, and wind, at 45 miles speed, 20 lbs.
 60 " " 29 "
 100 " " 66 "
5. Resistance of gravity at 100 ft. per mile, 22 lbs.
 50 " " " 45 "
 25 " " " 89 "
6. Resistance of velocity of 20 M. " " 10 "
 40 " " " 17 "
 60 " " " 29 "
 80 " " " 43 "
 100 " " " 60 "

Load on level at 20 miles speed, 9,045÷10=904 tons.
45 " " " " 20=452 "
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LOAD ON GRADES OF 50 FEET PER MILE.

20	miles	speed,	13,500	÷	57=237	tons,	equal 3	Pullmans.
"	"	"	9,045	"	57=160	"	" 5	"
40	"	"	13,500	"	65=208	"	" 7	"
"	"	"	9,045	"	65=140	"	" 5	"
60	"	"	13,500	"	77=175	"	" 6	"
"	"	"	9,045	"	77=117	"	" 4	"
80	"	"	13,500	"	90=150	"	" 3	"
"	"	"	9,045	"	90=100	"	" 3	"
100	"	"	13,500	"	100=135	"	" 4	"
"	"	"	9,045	"	"=90	"	" 3	"

NOTE.—Provided the ordinary engine could maintain 125 pounds of steam, and assumed that her tractive force as commonly calculated is 13,500 pounds, then it is expected of her to pull the relative weight and number of Pullmans at 30,000 pounds each over continuous grades of fifty feet per mile at the speeds given, while the corrected tractive force has been proved by the trials of the Raub engine to correspond more closely with the facts, and hence the Pullmans due to 9,045 pounds of tractive force may be better substituted. Though there is now hardly a railroad in operation with fifty feet continuous grades, and experience proves that no ordinary engine can maintain 125 pounds of steam, it is a matter of great economical interest to permit the construction of such roads, and thus we will now see what the capacities of three-cylinder Raub engines of 200 and 125 pounds maintained steam are.

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Three cylinders, 17 x 24 inches, drivers six feet, weight 75 tons, mean steam 200 and 125 pounds.

1.	Tractive force, 18 x 18 x 24 x 200, 72, 40,000 and 27,000 lbs.							
2.	Load on level at 60 miles speed			40,000	÷	29	= 1,380	tons
	"	grade	"	27,000	"	29	" 931	"
3.	"	level at 100	"	40,000	"	66	" 615	"
	"	grade	"	27,000	"	66	" 410	"
4.	"	level at 60	"	40,000	"	76	" 526	"
	"	50 ft. grade at 60 miles speed		27,000	"	76	" 355	"
5.	"	level at 80 miles speed		40,000	"	85	" 470	"
	"	50 ft. grade at 80 miles speed		27,000	"	85	" 317	"
6.	"	level at 100 miles speed		40,000	"	100	" 400	"
	"	grade	"	27,000	"	100	" 270	"

Which figures of 5 and 6 show conclusively how the centrifugal force aids speed and heavy grades. The trials with the "central power" have further demonstrated that [illegible] even raised her steam from 125 to 160 pounds while passing [illegible] fifty feet, and this with her improved boilers, [illegible] maintain 125 pounds of steam as a mile[illegible] is 200 pou[illegible]

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ESTIMATE ON PLANT.

A modern locomotive factory ought to be completely provided with all the necessary working machinery to save not only "labor," but time. All our present factories are patched-up concerns, which by reason of the detached combination of workshops incur a dead expense of an average of $500 per engine in handling material. The United States operates at present nearly 35,000 locomotives, which at best have a natural life of ten years. Hence the market of the country calls annually for 3,500 new engines to maintain its stock. A work to deliver an engine daily, or 300 per annum, demands :

1.	One hundred acres of land at $200	$ 20,000
2.	Fireproof buildings at 500 x 500 ft	250,000
3.	Store-rooms for coal, iron, and finished material	50,000
4.	Railroad, switch and station house	50,000
5.	Round-house for deposit engines	30,000
6.	Gas and water works	60,000
7.	Tools	40,000
8.	Working machinery	400,000
9.	Auxiliary machinery and motive power	30,000
10.	Stables, horses, wagons, etc	15,000
11.	Drawings, engineering, and supervision	25,000
12.	Patterns, office, and traveling expenses	30,000
13.	Stock of coal, iron, etc., for six months	500,000
14.	Working capital for six months	500,000
	Total	$2,000,000

PROFITS OF LOCOMOTIVE MANUFACTURE.

The average profit on ordinary engines ranges from $2,500 to $4,000 per engine.

Raub engines of 60 tons can be manufactured at a cost ot $10,000, and easily sold at $15,000; 70-ton engines at $13,500 cost and sold for $18,000; 75-ton fast time passenger engines of 60 miles per hour at a cost of $13,500, and sold for $20,000; an 80-ton passenger engine of 100 miles speed cost $15,000, and sold at $22,500; an 80-ton freight engine cost $16,000 and sold at $25,000.

However, these figures above stated are in no way extravagant, but cheaper than the ordinary charges, when it is con-

sidered that the Raub engines will save by their advantages in one month the increase in purchase price.

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Official report of the general superintendent of the New York, Lake Erie, & Western R.R. Company, on the trials of the Raub locomotive:

"*To all whom it may concern:*

"In compliance with the request of Dr. Christian Raub, the the inventor and patentee of the Raub central power locomotive, I have caused a number of trials to be made on the tracks of the New York, Lake Erie & Western Railroad, from April 1st to September 1st last, for the purpose of testing the practical results of the fundamental principles ruling the construction of the engine and to inquire into the inducements afforded by those results as to its usefulness and superiority for railroad purposes. Though built and tendered as an experimental engine, she is in plan and composition a fully developed machine, weighing 130,000 pounds, the elementary construction of which complies strictly with the first claim of its patent, which reads as follows: 'I claim a locomotive in which the motive power is established at and within the transverse vertical plane of its center of gravity, and in which the component parts of her construction are equally and symmetrically distributed to said center of gravity, substantially as set forth.'

"This engine impresses the thinking observer with the conviction that he has to deal with a radical departure from the routine construction of ordinary engines, and thus must be prepared to meet with many novelties and surprises resulting from said principle, a logical explanation of which is obviously beyond the province of this report. It is a matter of time and experience to establish all the economical effects emanating from that principle, the salient points of which center, however, obviously in the location of the motive power, 'at and within her vertical center of gravity,' which as a fundamental law of nature controls all power and velocity of motion in its various applications and exertions and thus implies naturally many

economical possibilities for which our present rules of inquiry as to cause and effect fail to account.

"The principal elements forming the body of the engine consist of a central dome with inserted stack of eighteen inches diameter, resting on top chambers of a central turret, which receive the exit hot gases of two return flues of 14 x 24 inches, which extend over the top of the boilers; of a central axle passing below said turret from frame to frame, carrying the eccentrics and link motion, besides a disc wheel at either end provided with an extension pitman by means of which the vertical playing main rod transmits the motive power to the relative set of side rods and thus to the driving wheels; of two fireboxes measuring respectively 33⅝ inches by four feet six inches; of two boilers with a flue barrel of four feet diameter, containing 132 flues of two inches diameter and five feet six inches long; of two vertical cylinders of 16 x 24 inches riveted to the turret; of eight drivers of 62-inch diameter each; of one coal bunker and joint water tank at either side of the boiler standing at the foot board; of a conduit water pipe, connecting all pipes for simultaneous feeding by one manhole; of all other details of common use in ordinary engines. According to these dimensions the engine contains a heating surface of 900 square feet and a traction force of 7,000 pounds.

"The practical results obtained and of public interest are as follows:

"*First*—The engine carried 70 pounds of steam and when ordered to hitch to a train of loaded cars, in the Paterson yard, she went away with it without any difficulty, while the Erie service engine No. 445, of 19 x 24 inch cylinder, 1,275 square feet heating surface, 48 inch drivers, and 80 pounds of mean steam, had failed to even move a wheel of same train.

"The traction force of the Raub engine is 16 x 16 x 24 x 70 x 62, equal to 7,000 pounds.

"The traction force of the Erie engine is 19 x 19 x 24 x 60 divided by 48, equal to 14,400 pounds, which leaves a balance in favor of the Erie engine of 7,400 pounds.

"Here is one of the surprises for which the ordinary rules of

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"*Second*—The second trial was induced by the apparent inherent superior tractive force of the Raub engine, supposed to be able to pull the heaviest train of the Erie service, of an average weight of 380,000 pounds, requiring an Erie service engine of 20 x 24 inch cylinders, 125 pounds mean steam, 64 inch wheel, and 2,000 square feet of heating surface, and this representing a tractive force 20 x 20 x 24 x 125, divided by 64, equal to 20,000 pounds.

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"The Raub engine started with 150 pounds of steam and took seventeen heavy refrigerator cars and one caboose, equal to 400,-000 pounds, from an incline grade and delivered them at Suffern, a distance of twenty-seven miles, at a running time of one hour and fifteen minutes, and raised steam from 125 pounds to 160 pounds, while passing the Ramsey Hill grade of fifty feet to the mile, which speed is equal to an average of 21.7 miles per hour. However, the question at issue is, not what the engine has done, but what she reasonably could have been asked to do. The load which an engine is expected to pull at a certain speed over a given grade, is equal to the product obtained by dividing her tractive force by the resistance of gravity of said grades and the speed of the train. The tractive force of the Raub engine was at the time 16 x 16 x 24 x 100, divided by 62, equal to 10,000 pounds; that of the Erie engine was equal to 20,000 pounds less 30 per cent of her dead weight, as Mr. Raub rates, or an actual tractive force of 14,000 pounds. The coefficients of resistance by gravity being 45 and of 20 miles speed, average 35. The Erie engine had to move 4,000-80, equal to 175 tons, while the Raub engine should have pulled only 10,000-80, equal to 125 tons, hence the Raub engine outpulled the Erie engine 28 per cent. This very trial proves, however, evidently that Mr. Raub's rule is correct, then had the common rule been applied to determine the weight to be pulled by the Erie engine, then had she to pull 20,000-80, equal 250 tons, which she evidently could not have been capable of doing at this speed, while at the corrected rule she comes out almost mathematically to the point. Suppose now the Erie engine had been built on the Raub principle of construction or the Raub engine had been equal in cylinder power to the Erie engine, when both would have attained 20,000 pounds actual tractive force, then would the Erie engine have moved 75 tons, and the Raub engine 125 tons more weight at twenty miles speed than now.

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The progress of man and the different kinds of government to which the race has resorted in different ages is very fittingly described. The book is sold only by subscription.

The Pursuit of Happiness. By Daniel G. Brinton. 12mo, pp. 292. Philadelphia: David McKay.

The author holds to the idea of Aristotle, that happiness is the one great legitimate purpose of life, and he would banish the old cruel doctrine that has always darkened the lives of men by teaching that enjoyment is folly and pleasure sin. His reasoning seems sound when he argues that as all agree that we should strive for the happiness of others, it is folly to think it wrong for us to taste of the same cup we are expected to proffer to others. In addition to much reasonable theorizing concerning his subject, the author devotes considerable space to describing the different ways and means whereby the happiness of each may be increased. The book abounds in beautiful expressions full of meaning.

Pre-Adamite Man. By Dr. Paschal Beverly Randolph. 12mo, pp. 408. Toledo, Ohio: Randolph Publishing Company.

This is the sixth edition of this work which seems to have found favor in public opinion. The writer affirms on starting out that Adam was not the first man, but on the contrary, whole nations of civilized men lived at least thirty-five thousand years before the time ascribed to Adam and Eve.

One proof upon which the author relies is the finding of pottery and other evidences of civilization in the delta of the Nile over forty feet below the surface of the earth. According to the most learned Egyptologists, the rising of the delta from deposits of the overflowing Nile is about three and a half inches per century, and, hence, these bits of pottery must have been made thousands of years before the time ascribed to Adam. Another is the discovery of human skeletons in the West Indies and elsewhere, which are declared by ethnologists to be from 50,000 to 100,000 years old

The book is full of arguments ethnological, geological, and chronological, to prove the great age of our race, and contains a vast fund of information for those interested in this line of study.

Why Government at All? By William H. Van Ornum. 12mo, paper, pp. 368. Chicago: Charles H. Kerr & Co. Price, 50 cents.

This book is not copyrighted for the reason that the author does not believe in special privileges and considers copyright as such.

The work is divided into three parts: the first being reviews of Henry George's theories, state socialism, the fallacies of Carl Marx, Edward Bellamy, and Proudhon. The second part discusses the motive of human action, the object of human life, the purpose and condition of human society, the development of individual character, human equality, property, liberty, slavery, the church, and the state; while part third is devoted to a discussion of the remedy for existing troubles.

The criticism of Henry George's theory of rent and his single tax is exceedingly keen and to the point. Marx, Bellamy, and Proudhon each in turn comes in for a share of the author's vigorous criticism. He considers selfishness as the motive of human action and thinks that a failure to recognize this principle in judging of the conduct of men has been the means of setting up false and artificial standards of morality. He would have it understood that every man's acts, whether saint or sinner, wise man or foolish, priest or layman, patriot or crimi-

nal, philosopher or politician, are actuated by one single motive, that of selfishness. He argues that when motives are so understood men will be estimated more nearly at their worth, and quotes Proudhon, who says, "Whoever talks to me of God has designs upon my liberty or my purse."

Happiness is regarded as the object of human life, selfishness the motive power. The idea is upheld that the impulses and activities of men always tend, when free, to the attainment of happiness, and when we find misery and ungratified desires we may attribute the cause to some restraint which prevents the gratification. The author says: "People do not remain in a state of misery if they can help it. They do not starve if they can get food. They do not remain exposed to the inclemency of the weather if they can help it."

There is room to doubt some of these statements, for there are many people living miserable lives who have the means within their power to live comfortably, even if not capable of enjoying a high degree of happiness. The writer of this book illustrates what has so often been set forth before, that it is easy to point out wrongs and tear down the existing order of things, but difficult to suggest anything better to take its place.

As a panacea for all evils, the author of this book would abolish the law and leave every man on an alleged equal footing. This, according to his way of thinking, would abolish taxes, rents, and all other burdens. Freedom is the watchword, the key to unlock the secret treasures of perfect human happiness.

It is difficult for the average mind to understand how the abolishment of law would make the thief honest, the vagrant industrious, or the bully a gentleman. It is safe to say that the abolition of law, a condition urged by men who surely do not realize the results of the method they agitate, would very soon result in a division of the people into clans that would continually be at war with one another. These clans would unite for protection into large forces as time advanced, and it would not be long until laws would be promulgated and a form of government re-established, thus proving what has been truly asserted, that government is a necessary evil.



THE AMERICAN JOURNAL OF POLITICS

SEPTEMBER, 1893.

THE LIMITS OF A STATE EDUCATION.

BY GEN. M. M. TRUMBULL.

HAS the state a right to educate its children? Have the the children a right to be educated? If yes, what are the limits of the right in either case? How much education may the state provide? How much may it refuse to give? Shall the state education be exclusively secular, exclusively religious, or a mixture of both kinds? Shall it be strictly mental, or a blending of mental and manual training together? And if blended, in what proportions?

The answer to these and kindred questions must be qualified by the character of the people and the nature of their government. The political form of a nation may control the right of education, both in extent and quality. The right of a state to educate its children, and the extent of that right, may vary under different political conditions. The same principles of state education do not apply to a theocratic, absolute monarchy like that of Russia, a state socialistic monarchy like that of Germany, a limited constitutional monarchy like that of England, and a representative republican democracy like that of the United States. In the Russian monarchy where the czar is both emperor and pope, where all the people are practically of one religion, it seems that sectarian, religious education in the public schools is logical, in complete harmony with the theory of the government, and entirely consistent with its duty to the people; while such a doctrine could not be admitted for a moment in the United States, where the people are of different



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"*Third*—The third trial was made with an alteration of the engine, reduction of the stack to thirteen inches, the return flues to 11 x 14 inches, and the nozzles to 25 inches. She was further; burning hard coal and moved 220,000 pounds of weight from Bergen Station to Suffern, 27 miles, in one hour and twenty-nine minutes of running time, at mean steam pressure of 115 pounds and an average speed of 19.8 miles per hour.

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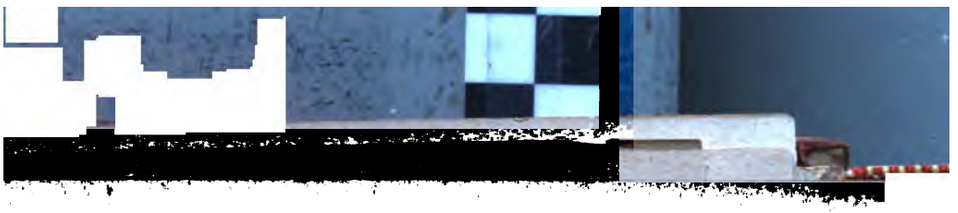
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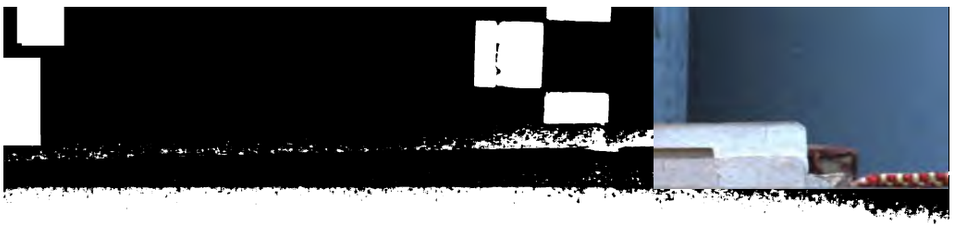
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The progress of man and the different kinds of government to which the race has resorted in different ages is very fittingly described. The book is sold only by subscription.

The Pursuit of Happiness. By Daniel G. Brinton. 12mo, pp. 292. Philadelphia: David McKay.

The author holds to the idea of Aristotle, that happiness is the one great legitimate purpose of life, and he would banish the old cruel doctrine that has always darkened the lives of men by teaching that enjoyment is folly and pleasure sin. His reasoning seems sound when he argues that as all agree that we should strive for the happiness of others, it is folly to think it wrong for us to taste of the same cup we are expected to proffer to others. In addition to much reasonable theorizing concerning his subject, the author devotes considerable space to describing the different ways and means whereby the happiness of each may be increased. The book abounds in beautiful expressions full of meaning.

Pre-Adamite Man. By Dr. Paschal Beverly Randolph. 12mo, pp. 408. Toledo, Ohio: Randolph Publishing Company.

This is the sixth edition of this work which seems to have found favor in public opinion. The writer affirms on starting out that Adam was not the first man, but on the contrary, whole nations of civilized men lived at least thirty-five thousand years before the time ascribed to Adam and Eve.



One proof upon which the author relies is the finding of pottery and other evidences of civilization in the delta of the Nile over forty feet below the surface of the earth. According to the most learned Egyptologists, the rising of the delta from deposits of the overflowing Nile is about three and a half inches per century, and, hence, these bits of pottery must have been made thousands of years before the time ascribed to Adam. Another is the discovery of human skeletons in the West Indies and elsewhere, which are declared by ethnologists to be from 50,000 to 100,000 years old

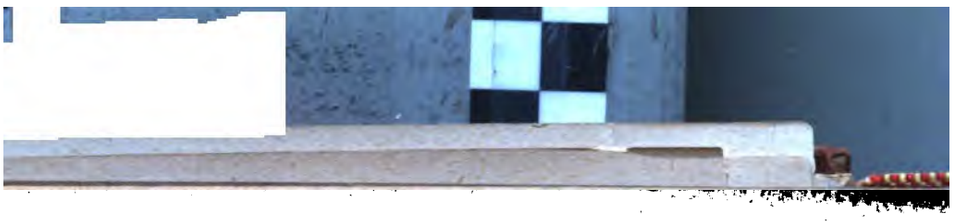
The book is full of arguments ethnological, geological, and chronological, to prove the great age of our race, and contains a vast fund of information for those interested in this line of study.

Why Government at All? By William H. Van Ornum. 12mo, paper, pp. 368. Chicago: Charles H. Kerr & Co. Price, 50 cents.

This book is not copyrighted for the reason that the author does not believe in special privileges and considers copyright as such.

The work is divided into three parts: the first being reviews of Henry George's theories, state socialism, the fallacies of Carl Marx, Edward Bellamy, and Proudhon. The second part discusses the motive of human action, the object of human life, the purpose and condition of human society, the development of individual character, human equality, property, liberty, slavery, the church, and the state; while part third is devoted to a discussion of the remedy for existing troubles.

The criticism of Henry George's theory of rent and his single tax is exceedingly keen and to the point. Marx, Bellamy, and Proudhon each in turn comes in for a share of the author's vigorous criticism. He considers selfishness as the motive of human action and thinks that a failure to recognize this principle in judging of the conduct of men has been the means of setting up false and artificial standards of morality. He would have it understood that every man's acts, whether saint or sinner, wise man or foolish, priest or layman, patriot or crimi-



nal, philosopher or politician, are actuated by one single motive, that of selfishness. He argues that when motives are so understood men will be estimated more nearly at their worth, and quotes Proudhon, who says, "Whoever talks to me of God has designs upon my liberty or my purse."

Happiness is regarded as the object of human life, selfishness the motive power. The idea is upheld that the impulses and activities of men always tend, when free, to the attainment of happiness, and when we find misery and ungratified desires we may attribute the cause to some restraint which prevents the gratification. The author says: "People do not remain in a state of misery if they can help it. They do not starve if they can get food. They do not remain exposed to the inclemency of the weather if they can help it."

There is room to doubt some of these statements, for there are many people living miserable lives who have the means within their power to live comfortably, even if not capable of enjoying a high degree of happiness. The writer of this book illustrates what has so often been set forth before, that it is easy to point out wrongs and tear down the existing order of things, but difficult to suggest anything better to take its place.

As a panacea for all evils, the author of this book would abolish the law and leave every man on an alleged equal footing. This, according to his way of thinking, would abolish taxes, rents, and all other burdens. Freedom is the watchword, the key to unlock the secret treasures of perfect human happiness.

It is difficult for the average mind to understand how the abolishment of law would make the thief honest, the vagrant industrious, or the bully a gentleman. It is safe to say that the abolition of law, a condition urged by men who surely do not realize the results of the method they agitate, would very soon result in a division of the people into clans that would continually be at war with one another. These clans would unite for protection into large forces as time advanced, and it would not be long until laws would be promulgated and a form of government re-established, thus proving what has been truly asserted, that government is a necessary evil.



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THE LIMITS OF A STATE EDUCATION.

BY GEN. M. M. TRUMBULL.

HAS the state a right to educate its children? Have the the children a right to be educated? If yes, what are the limits of the right in either case? How much education may the state provide? How much may it refuse to give? Shall the state education be exclusively secular, exclusively religious, or a mixture of both kinds? Shall it be strictly mental, or a blending of mental and manual training together? And if blended, in what proportions?

The answer to these and kindred questions must be qualified by the character of the people and the nature of their government. The political form of a nation may control the right of education, both in extent and quality. The right of a state to educate its children, and the extent of that right, may vary under different political conditions. The same principles of state education do not apply to a theocratic, absolute monarchy like that of Russia, a state socialistic monarchy like that of Germany, a limited constitutional monarchy like that of England, and a representative republican democracy like that of the United States. In the Russian monarchy where the czar is both emperor and pope, where all the people are practically of one religion, it seems that sectarian, religious education in the public schools is logical, in complete harmony with the theory of the government, and entirely consistent with its duty to the people; while such a doctrine could not be admitted for a moment in the United States, where the people are of different

religions, where church and state have been divorced, and where the patronage of any religion, whatever, by money endowment from the state, is forbidden by the supreme law.

In Germany, the right of the state to educate its children seems to be founded on a sort of national patriotism, on the right of governmental self-defense, the right of the state to protect itself from popular ignorance and bad subjects. It springs out of a belief that the moral strength of Germany is her industrial reliance in peace, and her chief defense in war. In the opinion of the German government this moral strength increases with the growth of intellectual education, therefore the state claims the right to educate its children, not for their sakes but for its own advantage and security. This claim includes within it more than we can ever concede to the United States, the right of the state to determine at its own pleasure the extent and character of the education to be given.

In England it is not easy to discover on what principle the government provides a common school education. The state does not appear to claim the right to do so for its own sake as in Germany; and the right of the children to an education seems never to have been recognized in England. It is graciously conceded as a sort of charity, and it is impossible to convince the great masses of the English people, that public school education is not pauper education. For hundreds of years and down to the present generation the doctrine prevailed in England that education, if obtained at all, must be bought like shoes. Out of this principle naturally grew the charity schools of that country. Schools were established by philanthropists and were supported by public subscription for the education of the poor. Rich men dying left their money to found charity schools. Religious denominations founded charity schools, and so did various trades, guilds, and societies like the Freemasons or the Odd Fellows. Some of those foundations furnished a scholar's uniform of grotesque and ridiculous pattern, which never changes, and which no boy or girl can wear without a sense of humiliation and shame. The blue coat school, a charity founded by King Edward VI., has never changed the

style of its uniform for three hundred years, and there are other charity schools with still more fantastic uniforms which have never changed for even a longer time. So strong was the flavor of pauperism about those uniformed charity schools, that people dreaded them as they did the poorhouse, and their prejudices extended to charity schools of all kinds. Parents would submit to any privation rather than send their children to them, and children would suffer martyrdom rather than go. Unfortunately, this prejudice has been transferred to the public schools of England by reason of the foolish popular suspicion that they are a collection of charity schools provided by the nation. The government of England and the influential classes in that country have never taken the proper means to place their educational system on a higher plane than charity, and perhaps they are satisfied that their public school system shall be regarded as a state benevolence.

Public school education in the United States rests on principles peculiarly its own, and here the state has no right at all to educate its children, except what grows out of the right of the children to be educated. The right of the child to an education is absolute under our form of government; the right of the state is limited to the simple duty of providing the means whereby to enforce the right of the child.

When and where the common school system originated is uncertain, and it is a question merely of historic interest. Motley, the historian, says that it existed in Holland 280 years ago. The principle and practice of it certainly prevailed among the early Puritan settlers of New England. Whether they found it in Holland, where some of them had lived, or created it themselves is unimportant, but the evolution of it may be traced all along the history of New England, for at least 200 years. And wherever the Puritan passing westward and southward has colonized this country, there also he has colonized the common school scheme.

For several years the friends of popular education in America searched with dark lanterns for some political and moral principle on which the common school system could securely stand.

Failing to find any, they compromised on what they confessed was a mere expedient, the right of the state to protect itself by public schools against ignorant and bad citizens, a doctrine which goes too far, because it concedes the right of the state to decide on the quantity and quality of public education.

It was almost undisputed, especially in the West, that private property could not fairly be taxed for public education, and that schooling, like bread, should be paid for by the parent, or else received as charity. It was confidently asserted as an axiom in political science that one man could not lawfully be taxed for the education of another man's child.

In 1852, a new constitution was submitted to the people of Virginia, for approval or rejection. It made some provision for a system of public schools, and for that reason it was fiercely denounced and opposed in eastern or "old" Virginia. The planters threw derision and contempt upon the constitution, by the awful threat that if it should be adopted they would send their "niggers" to school. This, of course, reduced the scheme to the lowest depth of absurdity, and smothered it with ridicule, but the logic of it was irresistible. "If you tax my negro property for school purposes, why may I not send my 'niggers' to school?"

When the common school system was first proposed in the Legislature of Ohio thirty-five years ago, it was opposed by the same old arguments, and curiously enough, the division on the question was by party lines, the members of one party unanimously voting for the law, and those of the other party voting almost unanimously against it. In all the debate the friends of the law could not find a morally scientific principle on which to justify it. The author of it said: "There is no doubt that on principle the opponents of the bill are right. There is no principle on which we can justify the taxing of one man for the education of another man's child; but as an economical expedient the state has the right to do it, in order to protect itself from an ignorant, useless, pauper and criminal population." The friends of the law adopted that reasoning, and planted themselves upon that platform, but they never felt

steady upon it. It was rickety under their feet, and it is rickety still. There is, however, a principle which will sustain the common school system to ten times its present weight, and it is this, in a government founded, theoretically at least, on social and political equality, every child is entitled to a public school education, incidentally for the advantage of the state, but absolutely as the right of the child, for the child's own sake, in order that every boy and every girl may have a fair and equal start with every other in the race for honorable position, and in the struggle for a respectable existence. In no other way can the democratic principle be reduced to practice. Until we recognize and establish the right of every boy and every girl to a public education of equal value, the fabric of republican government is incomplete. Without that right there is no substance in American democracy. It is but a form, a deception, and a shadow. Abandoning all the old excuses, expedients, and apologies, upon that rock the public school can stand.

In that splendid catalogue of accomplishments, which is called scholastic education, where shall the line be drawn between those branches of learning which may be paid for by the state and those branches which must be paid for by the parents of the child? I answer, Nowhere! It must not be drawn at all. When from motives of public policy or national benevolence a public education was conceded, it was patronizingly said that the state could not be expected to furnish anything more than the elements of learning; reading, writing, and arithmetic, the rudiments of an education, and the phrase, "common school education" adopted into most of our state institutions, was interpreted to mean an inferior school education, rather than a system of school instruction "common" to all the people.

The right to reading, writing, and arithmetic having been conceded, it was natural that the victorious democracy should expand its claims, and insist that the principle covered every kind of education; and that every kind of education was included in the rights of every child growing up to usefulness in a society based on the doctrine of equality for all. Men will make inequalities for themselves, but children have no power to

fix their own position, and for that reason a democracy ought to insist upon it that all the children shall be equal in all the schools of learning. A democracy that neglects to insist upon that is a comical imposture. It is Louis the Bourbon king wearing the red cap of liberty.

When reading, writing, and arithmetic were surrendered, the Bastile was won. The keys, not only of the schools but of the colleges, were surrended to the democracy, and in due time the colleges will be opened free to all the people. Then the higher learning shall be the prerogative of brains and not of money. From the moment of that victory the conservative elements have been easily defeated wherever they have made a stand in resistance to the logical advance of the common school principles. Building the Tory ramparts on the line of reading, writing, and arithmetic, they were speedily overwhelmed with geography, history, natural philosophy, languages, geometry, algebra, drawing, grammar, literary composition, and several other things. The opposition went down like the imprudent soldier who put out his foot to stop a cannon ball, which he thought had spent its force because it rolled so slowly along the ground.

Routed from that position, the Conservatives threw up fortifications all around the "high" school, and vehemently declared that "high" schools at the public expense were clearly illegal, unconstitutional, revolutionary, and void. They were contemptuously brushed aside, and the democracy crowded in. High schools are now within the public school system, and the colleges will be there also. Their treasures will not always be the luxuries of the few. They will become the advantages and opportunities of all.

In logical procession came the demand for free books, slates, pencils, pens, ink, and paper. This under the law maxim that the grantor conveys with his grant whatever is necessary for the enjoyment of the thing granted. Said the democracy, "What is the value of a grant of education if the grantee is too poor to buy the necessary books?" The right to an education includes the right to the means by which it may be acquired. The logic of this is very strong; at least it has proved so in some of the

states, where the conclusion has been accepted, and the public school pupils are provided with books at the public expense. All the other states will be compelled to yield this principle.

Now comes the demand for manual education in the public schools, and this claim will be triumphant also. Boys and girls must be educated in the use of mechanical and artistic tools, and the state must furnish the teachers and the tools. The advocates of industrial education in the public schools tell us that their plan does not mean the teaching of trades to be worked at "for a living," but only the teaching of scientific mechanics by way of object lessons, and through the practical demonstration furnished by actual work. This for the sake of harmonious development, the education of all the faculties together as near as may be. They have a right to explain their motives, but they are building better than they know, and better than they intend to build. Trades, as means of livelihood, will be taught in the public schools, and we shall see free colleges for public education in law, medicine, and all the intellectual occupations which are described as the "learned professions." This will be one of the plans adopted by the democracy to make the more lucrative employments the common property of rich and poor alike. This will be one of the means to "equalize conditions." To this complexion it must come at last. If public education in the United States is based on the right of all the children to equal chances in "the world's broad field of battle," it must include the right to a trade as well as the right to grammar and arithmetic. Every pair of hands must be taught to earn a living for their owner. Conservatism has another fight on hand.

This fight will be a hard one, for conservatism is a heavy, clumsy obstacle in the path of human progress, and conservatism has money. Political economy is already sending its professors into the fields with maps and diagrams and precedents to show that the thing cannot scientifically be done, as Dr. Lardner demonstrated in the encyclopedia that it was impossible for a ship to cross the Atlantic by steam. The demonstration is plain enough, but there are mental and spiritual forces

underneath it that will overthrow it as beneficently as the demonstrations of Dr. Lardner were overthrown.

Conservatism glows with philanthropic sympathy for that oppressed and down-trodden class of our people known as "taxpayers." A famous professor of political economy at one of our great colleges, in a magazine article, is eloquently sympathetic over the wrongs of those deeply injured people. His emotions find vent in the following language, "The children are thus rapidly preparing candidates for the reform school, and the industrial school, once more at the expense of the 'taxpayer.'"

"One of the latest novelties," remarks the college professor, "is the complaint that the education which the burden-bearing part of the community has furnished for the whole is not of a good kind; that the gift is not a suitable one; that the beneficiaries of it are not much to blame for rejecting it, because it is not of the right kind. It is proposed that the 'taxpayer' once more shall come forward and provide trade schools, or manual labor schools. This proposition is yet so vague and multiform that it is impossible to discuss it." The professor may be comforted; it will not be vague much longer, and it must be discussed. In the creed of Toryism, the "taxpayers" are the burden-bearing classes, the laboring men bear no political or social burdens in this land. With all his economic science the professor has not yet learned that the great brotherhood of workers by hand and brain of every degree, bear not only the burthen of the taxes but the burthen of the "taxpayers" too.

Take notice that the English charity school principle to which I have referred, is adopted by the college professor. He speaks of public education as a "gift" and the pupils in our public schools as the "beneficiaries" of this gift. The uniformed charity boys and girls of London wear upon their breasts a leaden badge nearly as big as a saucer, on which is engraved the name of the charity school and the number of the boy or girl. There are "taxpayers" in this magnificent land who would, if they could, pin a leaden badge to the heart of every boy and every girl who attends our common schools. They would pauperize them all.

Continuing, the professor says, "The most sensible persons who are interested in the plan agree that schools to teach handicrafts or trades as a means of livelihood would not be defensible; but may not the taxpayer think it rather hard, that, after he has provided schools and libraries, and high schools with all the paraphernalia of science, he should be told that it is all a mistake, and that he has to begin all over again, on a new line of development, which the same guides now believe to be the correct one?"

It is worth noting that in the history of human progress the opponents of every reform are always flattered by conservatism, prerogative, and privilege as "the most sensible persons" of the time; which reminds us of the remark made by Lord Melbourne, when he was Prime Minister of England, concerning the result of a certain political measure which his government had adopted. "What all the sensible men prophesied, has failed; what all the infernal fools said would happen has happened. How do you account for that?" It may be accounted for in this way; the sensible men were the fools, and the fools were the sensible men.

The professor parades the generosity of the "taxpayer" who has "provided schools and libraries, and high schools with all the paraphernalia of science," but he ought to know that the taxpayer of his own free will has provided none of these. All honor to the French people, for the French republic on this question is ahead of all the world. Manual training is already a part of the public school system of France, and manual education in that country is directed to the ultimate purpose of providing an honorable means of living for the pupil after he shall have reached the age of manhood. Through the weary travail of a hundred years the French people at last have reached the knowledge that community of education nestles close to liberty; that only by making all the learning of all the schools, of all the trades, of all the professions, absolutely free to all the children of all the people, can they give practical value to the inspired sentiment of the Revolution, liberty, equality, fraternity.

M. M. TRUMBULL.

OUR TRADE WITH CHINA—THE GEARY ACT.

BY SHERIDAN P. READ.

THE failure in 1891 of the old, historic house of Russell & Company marks the disappearance of the last American firm in China, and leaves American commercial interests in that country entirely in the hands of other nations.

In 1871 the American houses in China were as follows: Russell & Company, with establishments or "hongs" at Shanghai, Hong-Kong, Canton, Amoy, Foo-choo, Han-Kow, and Tien-Tsin; Augustine Heard & Company, at Shanghai, Hong-Kong, Canton, and Foo-choo; Oliphant & Company, at Shanghai, Hong-Kong, Canton, and Foo choo; Bull, Pardon & Company, at Shanghai, Hong-Kong, Canton, and Foo-choo; Smith, Archer & Company, at Shanghai, Hong-Kong, and Canton; H. Fogg & Company, at Shanghai; A. C. Farnham & Company, at Shanghai; Silas E. Burrows & Company, at Hong-Kong; E. J. Sage & Company, at Hong-Kong.

In the course of only twenty years all the above firms have disappeared one by one, and our trade is now left to the tender mercies of the English and Germans.

The "princely hong" of Russell & Company maintained its prestige until the very last day of its existence, and its presence in all the principal ports of China was a sufficient guarantee that American commercial interests were being properly guarded. Does not this dissolution of the last representative of American business methods place a great and additional responsibility upon our consuls?

Do not American interests in the principal ports of China at this time need the keen observance and assistance of men as consuls who are acquainted with the intricate details of trade in the far East, who are known not only to the Chinese but to our

merchants, and who are appreciative from a business man's standpoint of opportunities to extend our trade? It is the writer's belief that, although perhaps difficult to find, a few such men exist.

It is true that consuls, to assist them in the performance of their special functions, are guided by an excellent manual of instructions furnished them by the Department of State, and that it does not require more than the average ability to carry out these instructions. Such instructions cannot, however, show consuls how to advance and foster trade, or how to make to the Department reports of a practical, business nature, which can be utilized by our merchants.

A requisite to the integrity of our foreign trade, is to have consular representatives in foreign ports who understand commercial values, and can thus detect undervaluations of goods to enter this country, thereby protecting not only our government but honest merchants as well.

Russell & Company's presence, with their unimpeached reputation for business probity, was a standing menace to many commission houses in China who catered to the dishonest tendencies of certain business elements in this country, by systematically undervaluing goods bought in China for our markets. It was a principle with this firm, whenever it became apparent that it could not, acting for its constituents, land goods, duty paid, at our ports as cheaply as other commission houses in China, to ferret out the reason and put our consuls on their guard.

Our consuls in China no longer have the coöperation of an American firm. They must now rely solely upon their own knowledge of market values in China. Unless they have such knowledge they are obviously handicapped in their efforts to maintain the integrity of our trade with China.

Trade in China is at present at a low ebb as regards profits. It is carried on, however, by those who live in hope of better days. The continual fluctuation in the price of silver is a constant source of apprehension to those in the trade, and it is only by the shrewdest observation and calculations as to the probable price of silver many months ahead, that trade can be successfully carried on.

The steady rise in the price of silver for several months after the passage in Congress of the Sherman act, and then its sudden collapse, brought disaster to Russell & Company and shook to the foundation many of the oldest firms in China. Commissions are small and easily wiped out by the fluctuations of a few points in the price of silver.

There are signs and omens, however, prognosticating that the elephantine empire of China will before many years yield to the irresistible influence of Western ideas. It is certainly to be hoped that we have not been knocking in vain at her door for the last hundred years.

The missionary and merchant have, each in his way, been breaking down the barriers of Chinese prejudice. Commerce with China effects a steady social and intellectual advancement, which establishes a basis for effective missionary labor. The missionary should not therefore underrate the influence of the merchant for good, as he is a perpetual revelation to the self-sufficient Oriental, of a broader and more enlightened civilization; nor should the merchant fail to recognize, as is too frequently the case, the less tangible results that the missionary is surely, if subtly, accomplishing.

Neither the merchant nor the missionary should despise the Chinaman. Both should recognize in him the same indefinable moral principle that pervades the rest of the human race. The merchant has discovered that the Chinaman is endowed with a high sense of business honor. The Chinaman's word is his bond. Contracts for the delivery of merchandise, which frequently require months to execute, are entered into verbally. In my experience in China, never once was a contract violated by a Chinese merchant, although its execution not infrequently involved a considerable loss to him. I may say in passing that one cannot speak so highly of the business uprightness of the Japanese.

It is evident that railroads must be built in China. China's fear of Russia at her borders is making those in authority at Peking appreciate the necessity of uniting by rail her various provinces, in order at short notice to concentrate her troops in

case of need upon the Siberian frontier. I am informed that plans for building a network of railways have been under consideration for some time, viewed only, however, from military expediency.

When railroads once become an institution in China, it will be but a short and easy step in her progress to begin the development of her natural resources by steam and electric power. When these undertakings are inaugurated, our country should be represented by a house worthy of her, that shall command the respect and confidence of China.

The first signs of an awakening on the part of China should not be overlooked by our consuls, who should then be on the *qui vive* to see that America gets her quota of the vast trade to result. England and Germany are already on the ground, firmly entrenched through their many strong commercial houses. They will assuredly not be at any pains to get machinery and industrial plants from America; nor will China be eager to favor America with large orders for government or individual supplies should the Geary act become operative or even remain passively in force. European industry, European experts and scientists can readily supply China with both materials and brains, in which case our country may find herself excluded from a commerce, to the future expansion of which no assignable measure can now be applied.

THE GEARY ACT.

In regard to the Geary act in relation to our trade with China as it exists to-day, a few words may not be untimely.

The feeling seems to prevail among those in this country interested commercially in China, that even should the Geary act become operative, trade relations between China and this country will not be disrupted. Those who buy in China the bulk of goods for this country are the English and Germans. The ultimate destination of Chinese goods bought under these conditions cannot, it seems to me, be interfered with, as such interference would bring down upon the Chinese the English and German nations.

As many districts in China are largely dependent upon the

consumption of their products by this country, the Chinese, while they would do much to harass the missionaries, could not afford to prevent their goods from reaching this country.

The United States consumes four fifths of the entire output of straw matting coming from Canton and from the Lintin and Tong Koon districts near Canton, and these districts are largely dependent for their daily support, upon the manufacture of this commodity. The silk and tea districts would also suffer immeasurably if an attempt to keep these products out of this country were successfully instituted. But an effort to retaliate in this way could scarcely be effective, as in this case tea and silk would reach this country *via* England and Lyons respectively.

As regards our products—principally kerosene oil and cottons—it is safe to predict that as these commodities are handled in China by merchants who are not Americans, they would surely find their way into consumption, as belonging to nationalities whose trade China would not dare to molest. Besides, after all, such products as kerosene oil and cotton goods are essential to China, and they would continue to find their way into that country so long as these articles remain cheaper and better than oil from Russia and cottons from Manchester.

China is so largely dependent upon this country for her commercial welfare as an exporter and for the satisfaction of her needs as an importer, that a serious project on her part to retaliate would be practically out of the question.

It would seem that we could effectually put a stop to any attempt at retaliation by preventing the entrance into this country of Chinese goods, upon which we are by no means absolutely dependent, as we could fall back upon Japan and Ceylon for our teas, and upon France and Italy for our raw silk.

Viewed thus in the light of fact and reason, retaliation on the part of China, aside from certain deplorable and not unusual uprisings against the missionaries, who in that case would have to seek temporary protection in the treaty ports, would result merely in what the China merchant characterizes as "talkee-talkee."

SHERIDAN P. READ.



CORPORATIONS, PUBLIC AND PRIVATE.

BY FREDERICK H. COOKE.

THE social problems of the day increasingly center about the fact of the existence of corporations, public and private.

Leaving out of consideration certain legal incidents, unnecessary for present purposes to consider, a corporation is nothing more than a group of individuals formed for the purpose of attaining an object presumably difficult or impossible to attain by means of independent individual effort.

The distinction between corporations, public and private, has been a fruitful source of confusion, not merely to courts and lawyers, but even to economists. Much of such confusion might have been avoided had they more clearly understood the origin of the distinction.

It was gravely declared by Chief Justice Coke, some three centuries since, and is nowadays jocosely repeated, that corporations "have no souls." This, if true, would seem, at first blush, to leave them outside the pale of psychology. Yet it is from the standpoint of psychology that we shall endeavor to explain the distinction between public and private corporations. Such distinction rests back in the last analysis upon the distinction between pain and pleasure. For proof of this we need do no more than appeal to the personal experience of the reader.

To an extent, at least, all men seek pleasure and avoid pain; otherwise they would soon cease to exist. But they live more or less constantly in the presence of one another, and come to seek their own pleasure through the medium, sometimes of another's pain, sometimes of another's pleasure. Hence, two great classes of social activities, those whereby men seek pleasure through another's pain, and those whereby they seek pleasure through another's pleasure.

The first class includes what we may call *militant* or *warlike* activities. In a state of warfare, men, either individually or in groups, seek pleasure through the medium of another's pain—by killing, depriving of goods and territory, and so on. To the same class of activities belong crimes; at any rate, crimes of violence, which are but survivals of a generally prevalent state of militant activities.

The second class includes what we may call *peaceful* or *industrial* activities. In such a state men habitually seek pleasure through the medium of another's *pleasure;* for instance, instead of seeking to procure by violence what they desire, they purchase it, that is, give pleasure for pleasure, goods for money, money for goods, or goods for goods.

Out of militant, or warlike, activities have originated all political governments, at least all that have to any considerable extent become strong and centralized. It was so, for instance, with the ancient Roman Empire, and afterward with the French monarchy. The American colonies, peacefully engaged in commerce and agriculture, would not have found occasion for the establishment of our federal government, had it not been for the colonial and Revolutionary wars.

We shall assume the terms "public corporation" and "political government" to be, as they essentially are, synonymous terms, ignoring any legal subtleties that fail to harmonize with this assumption. A formal definition of a public corporation is hardly necessary here: we shall content ourselves with illustrations. The United States is a public corporation; so is each state of the Union; so each city, town, and village therein. It is these that we shall have especially in mind hereafter in using the term "public corporation."

Out of industrial or peaceful activities have originated private corporations generally, at least all private *industrial* corporations, which alone we shall here consider, ignoring corporations such as religious and charitable corporations which do not transact business for profit.

During the greater part of its history, the human race has been, as a rule, engaged in militant activities, such industrial

activities as existed being subordinate and incidental to the militant. Hence it has resulted that while public corporations, the natural outgrowth from militant activities, have throughout history been numerous and powerful, private corporations, the natural outgrowth from industrial activities, have until very recently been few and feeble. It is, indeed, only within the last century that they have attracted attention as consequential social factors. Within the present generation, however, they have increased and extended with tremendous power and rapidity. In commencing, we stated that the social problems of the day increasingly center about the fact of the existence of corporations, public and private—we here modify that statement, by adding that the center is gradually shifting, from the fact of the existence of public corporations, to the fact of the existence of private corporations. The term "private corporation" needs here no formal definition. Railroad, banking, and insurance corporations are familiar illustrations.

The religion and the philosophy of the day unite in the belief, at any rate the hope, that the sum of human pleasure is continually on the increase, the sum of human pain continually on the decrease. This involves the supposition that the sum of industrial activities is continually on the increase, the sum of militant activities continually on the decrease. But if our previous conclusions are sound, it follows that the functions exercised by public corporations, that is, political governments, are, as a rule, steadily on the decline; that the functions exercised by private corporations, that is, private industrial corporations, are steadily on the increase.

This tendency has by no means escaped frequent observation. A striking symptom of it is growingly manifest in our largest municipalities. Those actively associated with the government of such municipalities are less and less regarded as the representative citizens. A reference to the aldermen of a large city as "the city fathers" once had a sober significance; now it provokes a smile. Not the city officials, but the high officials of the great business corporations (comparatively few of whom ever fill city offices) are the "leading citizens." The president of

the New York Central Railroad Company is, so far as concerns his office, a person of far more prestige and influence than the mayor of the city of New York or the governor of the state of New York; the president of the Pennsylvania Railroad Company, than the mayor of Philadelphia, or the governor of Pennsylvania.

These and many other facts are merely surface indications of the great underlying fact that the functions hitherto exercised by public corporations are silently but gradually coming to be exercised by private corporations. It is in this way, indeed, that the whole problem of civil service reform, including the problem of municipal reform, is to find solution. Abuses of the functions of political governments will disappear simply by reason of such functions gradually falling into "innocuous desuetude."

The process of the extension of the functions of private corporations, and the narrowing of those of public corporations was, in this country, temporarily interrupted by the happening of our great Civil War. Not only, as we have seen, do political governments originate out of militant activities, but the functions of existing political governments tend to become enormously strengthened as a result of such activities. Nor was the Civil War an exception to this rule. Yet, notwithstanding this counteracting agency, we believe the tendency in this country to-day is toward the substitution of private corporate enterprise for governmental enterprise. This is, however, an interesting question of fact, capable of study with great profit in reference, for instance, to the methods of supply of services of water and light to the inhabitants of our great cities. But the tendency is seen still more clearly from a comparison covering a wider extent of space, and greater length of time.

Says the eminent English economist and statesman, Prof. Thorold Rogers ("Economic Interpretation of History," c. xxiii, p. 501): "In Europe at present nearly all railways from the Rhine to the borders of Asia, owe their initiative and their control to the government. They are primarily the mechanism for military mechanism." It is more than a coincidence that

throughout that great area militant activities predominate and the means of transportation are controlled by public corporations, while in Great Britain and the United States, where industrial activities are comparatively predominant, such means are controlled by private corporations.

The association of governmental control of postal facilities with militant activities is not so generally understood. But on this point says Prof. Rogers (p. 504): "The origin of this institution (*i. e.*, the post-office) was quite as much a measure of police, as it was to serve a commercial convenience; it was instituted under Cromwell's government, and the act which created it states that it was to be 'for the benefit of commerce, for the conveyance of government dispatches, and for the discovery of wicked and dangerous designs against the Commonwealth.'" The founders of our government naturally adopted the existing English system of governmental control. Postal business is frequently referred to in arguing for the advantages of governmental control of a purely industrial business. It is not always sufficiently realized, however, that the extent of governmental management of postal business is comparatively small and seems to be diminishing. It is the great railroad and steamship corporations that really do the bulk of the postal business. Moreover, the great telegraph, telephone, and express corporations probably transact an increasing proportion of what is substantially postal business.

But to demonstrate that the tendency of the day is toward the substitution of private corporate enterprise for public corporate enterprise, is not necessarily to demonstrate that such tendency is beneficial. In our view it is. But it does not follow that, in a given instance, under existing conditions, a purely industrial enterprise, such as that of furnishing water or light to the inhabitants of a large community, will be more advantageously undertaken by a private than by a public corporation. Private corporations are of comparatively recent growth, and have yet to develop much of their complete efficiency. Their failure to do so, however, is largely the very result of the militant activities that have developed public corporations to their full

degree of efficiency. In some cases, the question whether a given service shall be undertaken by a public or by a private corporation is very much like the question whether a given service shall be undertaken by a fully developed man, or by a promising stripling, who, at the period of his full development will far surpass the man. But, without stopping to discuss further this phase of the subject, we call attention to the suggestion made by Prof. Alfred Marshall (in his "Principles of Economics," c. vi., p. 26) in reference to the alleged superiority of the German practice of governmental regulation of purely industrial enterprises: "The balance of evidence seems to show that the German system, excellent as it is in many ways, is not in all respects well suited for developing that daring energy and restless enterprise which go to the root of the hardest difficulties. For this purpose the existing English system is already superior in some respects; and its deficiencies, though still great, are rapidly being filled up.

FREDERICK H. COOKE.

SHOULD WE RESTRICT IMMIGRATION?

BY ARTHUR CASSOT.

IT IS not an easy task to deal with a question which involves not only the expediency of certain privileges of immigration, but its good or bad effect upon an entire nation. We have, however, one preëminent characteristic of ever being able to meet a crisis when it comes, and the solution of the great problem of immigration is the crisis of the moment. Our fulcrum is progress and anything that hampers our progress as a nation must receive our immediate attention, for it is here that our nation and people are at stake.

Ever since America was founded and has flourished we have had an influx of immigration—a people that has robbed the natives of their soil and planted in their semi-barbaric state a civilization that has been the most wonderful and progressive of the world. It is the nature of this immigration that we must determine before we decide upon the expediency of necessary changes in our existing laws of immigration. Our Puritan fathers and, in fact, all who belonged to our period of colonization, have helped to lay the foundation-stone, which is more than equal to its superstructure. They were the life and breath of this nation. They bid fair toward its establishment of state, law, and custom. They were a very desirable class of immigrants, and their high character and moral force perpetuated the welfare of their separate commonwealths into an indissoluble union. From 1783 to 1820 we had received 250,000 of these immigrants. Our population in 1790 mainly consisted of a girdle along the coast from Maine to Georgia.* But this girdle was a monumental one. There existed a unanimity among these

* "Emigration and Immigration," R. Mayo Smith, A. M.

people which the struggles of the Revolutionary War are alone sufficient to prove. They here gave birth to self-government and individual liberty. There was little immigration during this period and not until 1820, when new prosperity began, did the tide of immigration resume. In the meantime we had a fairly homogeneous population and the products of the human mind were everywhere indicative of a high mark of civilization. There were Washington, Franklin, Clay, Webster, and Bryant, to be followed by a new school to establish our claim as a distinct nation. But there were still abundant territory and numerous resources to be developed and cultivated. The country needed and welcomed the immigrant who chose his domicile in this new land of promise, and the migratory factor together with the then stalwart American race spread civilization broadcast over the land. With our increase of productivity and population, the invention of the railroad and an increased commerce laid open new fields of activity, which were prone to prove remunerative to the immigrant as well as to the country. New inducements and our general prosperity brought us from 1820 to 1855 an alien influx of 4,212,624.* Our girdle of population was no longer confined to the eastern sea-border, but began with rapidity to encircle the whole area of this great land. Immigration now became a very important factor in our social fabric, and while we have been able to enhance its economic value with our own, the influx has so largely increased from year to year, in proportion to the development of our resources, that it has given rise to many important questions. What may be a desirable element during one stage of a nation's progress, may also be an undesirable one at another. This is especially true in view of the invention of machinery, and the rapid succession in which we are passing from the agricultural and constructive to that of the mercantile and manufacturing period. An influx of 12,284,544 immigrants from 1856 to 1892 means a great increase to our population, and has already

* As we had no statistics of immigration during this period we may deduct two per cent from the alien arrival for sojourners and get the total of immigrants arrived from 1820 to 1855.—*American Report of the Superintendent of Immigration, 1892.*



clearly proven that the forces of assimilation have not been equal to this foreign sporadic increase. This leads us at once to inquire, What is the nature of this immigration and what are the deteriorating forces at work in it?

In the first place, we find that sixteen per cent of our immigrants are illiterate and about a yearly average of four and eight tenths per cent or 25,306 of the male immigrants "are unskilled and untrained in any avocation." Secondly, that the female immigration from Italy and Hungary is only 20.6 and 26.2 per cent of the male. This discloses that our most illiterate immigrants show a marked disparity in the sexes. Thirdly, that foreigners or their immediate descendants form about two thirds of all the paupers supported at almshouses and one third of all the inmates of our state prisons and penitentiaries.* Besides this discouraging state of affairs we note that the greater part of the most degraded and illiterate of immigrants flock to our cities and form plague spots, which naturally interfere with the healthy growth of any community.† Thus it is that this immigration which in 1890, at the close of the last decade, gave us a ratio of 45.13 per cent to the increase of population is undermining our American character and morality.‡ It is also interesting to note that this increase of immigration is nearly half as much again in proportion to our native births, as during the previous decade ending with 1880. The assimilation of these classes with the native certainly presents a very discouraging sign. It is an acknowledged fact, furthermore, that the assimilation of the illiterate and degraded is a very slow process, and has a retarding effect upon civilization, because they acquire our language with much difficulty and are always more or less antagonistic to our customs, manners, and institutions.‖ In view of all this, we must give due credit to the superior and sturdy class of immigrants, who have been an im-

* The other two thirds are divided between the colored and native white, the former predominating.—*Report of the Superintendent of Immigration, 1892.*

† I mean that of the 576,963 immigrants of 1892, 242,668, remained in New York. Of this total we received 76,417 from Russia, 61,631 from Italy, and 40,576 from Poland.

‡ Report of the Bureau of Statistics of Labor, 1892.

‖ This is most apparent in cities.

portant factor in driving forward our "wheel of progress." Yet we cannot in justice to ourselves and political institutions continue to receive such an undesirable and dangerous element as now comes to us. What nation would tolerate it? We must, at all hazards, guard ourselves against unrestricted immigration, to preserve our standard of living, our morality, and the homogeneity of our people.

Mr. R. Mayo Smith says, "If we have more land than we need we are duty bound to share it with others"; but while we are always ready to share our acres and benefits of free institution, it is now high time that we should at least share it with those who are equal to our standard of civilization and have not fallen below its level.* We do not gain one iota by filling our "boundless country" with the 2,000,000 of emigrants which Europe could send us each year without affecting the increase of her population.

Our immigration laws prohibiting the migration of convicts, lunatics, idiots, and any person apt to become a public charge (of course, including paupers),‡ and contract laborers,‖ ought to be rigidly enforced. And as we are the most progressive nation in popular education, and as our existing laws are not adequate in restricting the illiterate and unlettered, the best and most wise step to prohibit this influx of undesirable immigration would be to enact a law in addition to the rigid enforcement of existing laws, which would exclude all immigrants above the age of twelve who cannot write freely and easily their native language, an exception being made for those over fifty-five years of age coming with other members of the family, and all male persons over fifteen years of age who are unskilled and untrained in any occupation. The latter clause would prohibit the migration of such people as beggars, organ-grinders, laggards, and, in fact, all who are prone to become public

* "The duty of every nation to humanity is to see to it that the higher triumph over the lower. But it performs this duty best by preserving its own civilization against the disintegrating forces of barbarism."—*Emigration and Immigration, R. Mayo Smith, A. M.*

‡ An act approved August 3, 1882. Sec. 2.

‖ An act approved March 3, 1891.

burdens. Of course, the enforcement of these laws would require the United States consuls to pass upon the qualification of all persons desiring to emigrate, and the steamship companies to be held responsible in the same degree as at present. There have been a number of schemes proposed to the Senate committee for solving this great problem of immigration, but none seem fully to cover the ground and the need of the country. We must not forget that we are still the great American race, which our forefathers called "the asylum of the oppressed," and the land to which all are privileged to come and free themselves from political and religious oppression. But it is not the asylum of Europe's outcasts. Senator Chandler's scheme of excluding all immigrants the present year on account of cholera is not a wise measure, because proper quarantine regulations would readily check this contagious disease, and, furthermore, other passengers besides steerage coming from infested ports are likely to spread the germs of the disease. It is an interesting fact that during last year's epidemic, immigration instantly fell off, and it was owing to our laxity in regulating our quarantine which caused the scare of the cholera epidemic. The best physicians and statesmen agree that a national quarantine and good sanitary regulation is the only wise preventive. Among other bills proposed, is the restriction of all immigrants not possessing one hundred dollars, the requirement of a United States consul's certificate, and the imposition of a head tax by steamship companies. It is quite evident, however, that none of these bills cover our requirements, because the first would not be a guarantee of good citizenship—we need the good citizen more than his money, and money is no guarantee of physical or mental capacity. The second bill would grant our consuls too much authority and subject them to bribery and hatred. As to the third, it is almost needless to say that it would open the doors to endless corruption and re-establish a tax similar to the old fashioned and much abused poll tax.

An examination of the emigration that has flown hither, readily proves to us that its character has greatly changed and instead of nation-making races, which we were so long accus-

tomed to receive, we have suddenly thrown upon us an element imminently dangerous to both our people and government. "Over eighty-four per cent of the immigrants previous to 1860," says Mr. Henry M. Boies, "were either English speaking or German people, attracted to the country chiefly, doubtless, by their love of liberty, and their preference for our institutions and form of government, to which they adapted themselves voluntarily."* But during the succeeding decades there has been a marked change, as each decade has brought an increase of the more foreign and degraded immigrants, who flock to us, not with a love of liberty, but rather like so many birds of prey. The most embarrassing of all this immigration comes from Southern Italy, Poland, Russia, Hungary, and Ireland, in which countries the people are more illiterate and on a lower social level than most civilized nations, and certainly far below ourselves. We need only to take an illustration from Southern Italy where, in the provinces of Potenza, Cababria, and Sicily alone, we find an illiteracy of about 83.78 per cent. Deputy Fortunato is reported to have said at the Peoples' Banks Congress at Bologna, "How often in my journeys through this province has come before me the same monotonous and uniform scene: the country deserted, poor in vegetation, very poor in inhabitation; the streams are torrent, the slopes are cut up by slips, the old forests are cut down; the culture is merely on the surface; the lands have no roadways; the holdings have either uncertain titles and are the source of public and private litigation, or are burdened with mortgages and loans; only here and there, at long intervals, there are clusters of wretched cottages at the top of some hill; above is a village safe from malaria and bandits."†

This is the source from which comes our most antagonistic element, which pulls down rather than builds up our social fabric. The whole country is at the mercy of this foreign degradation unless it is prohibited. In one of our genuine American states (Massachusetts) we had‡ among its population

* "Prisoners and Paupers," Henry M. Boies, 1893.

† Eugene Schuyler in *Political Science Quarterly*, September, 1889.

‡ At the time of the census of 1880.



49.88 per cent of totally illiterate Italians, and 27.85 per cent illiterate Irish. From whence can we count on our future literature and culture if not from our Massachusetts in New England? The most dangerous peril, however, exists in the fact that this very undesirable immigration centers itself in our cities, and there huddles together and forms plague spots which are detrimental to the very life and prosperity of cities.* Just think of 80 per cent of New York's population as of foreign birth or parentage, and you have an idea of the effect upon the native character whose greater refinement depends largely upon the growth and prosperity of native cities. A writer as far back as 1854, wrote, "Go where you will in the United States, you find nearly all the dens of iniquity, taverns, grog shops, beer houses, gambling places, and houses of ill fame and of worst deeds, are kept by foreigners,"† and still does this remain to be true to this very day.

It is, therefore, no wonder in view of these perils that we should feel disheartened and ask ourselves, What changes are expedient and what laws must we enact? What steps must we take to preserve our country and people, in order to bring forth homogeneity of race, which is essential to the highest culture and happiness? Our only alternative is, as already suggested, the rigid enforcement of the existing laws of immigration and the enactment of a law to exclude the illiterate and unoccupied. We would then put a stop to that tide of immigration which comes from those centers where the most ignorant and degraded prevail. Instead of receiving 270,000 immigrants, we could alone have excluded from July 1 to Nov. 1, 1892, 57,000 illiterates, had we enacted such a law. Certainly this would have been a great benefit to the people with whom this uninteresting and intensely ignorant class must assimilate. The educational test, therefore, is the only true solution to our immigration problem, because it asks no other requisite than that of a fitness to cope with the world.

ARTHUR CASSOT.

* The ignorant masses of such cities as New York, Brooklyn, Philadelphia, San Francisco, and Chicago, ought not to be reckoned with the working class, but answer to what is called in English "the residuum."

† Emigration, Emigrants, and Knownothings.

MISS DIX, PHILANTHROPIST AND ASYLUM REFORMER.

BY E. A. MEREDITH.

IF THE name of Dorothy Lynde Dix is not familiar to us on this continent as a household word, it is only an illustration of the fact that the world, that "great sized monster of ingratitudes," is sometimes slow to recognize its greatest benefactors. Not only do we withhold from them while with us in the flesh the honor which is their due, but even when death has removed them from among us, we remain apparently unconscious of all they have done for us, our eyes are holden so that we cannot catch a glimpse of "The white wings lessening up the skies," as their martyr spirits take their flight heavenward from an earth that was not worthy of them. Nearly six years have now elapsed since Miss Dix ceased from her labors and entered on her rest; and to-day how many are in absolute ignorance about her, how very few realize the marvelous work which she accomplished for her suffering fellow-creatures during her long and active life!

It may, no doubt, be said with some truth, that the strange ignorance which prevails even now in reference to Miss Dix and her life work, is largely due to that extraordinary spirit of self-effacement which was unquestionably one of her most marked characteristics. For we must remember that again and again, during the busy forty years over which Miss Dix's active philanthropic work extended, her friends and admirers importuned her, in the interest of the cause she had so much at heart, to allow them to give to the world some account of her astonishing and most fruitful labors. To these appeals her answer was invariably, that nothing could give her so much pain and annoyance; that notoriety was her special aversion; that unnecessary pub-

licity was, in her opinion, singularly at variance with the delicacy and modesty which are the most attractive ornaments of her sex! nay more, that she would regard any attempt to give her such publicity as a "trespass on her personal rights." Towards the close of her life, indeed, she was induced to give a reluctant promise to arrange her papers and memoranda in such a way as to enable her friends to use them as they desired when, in her own words "the angel of the last hour had arrested her labors." Her friend, Mr. Randale, reminding her of this promise says "I really think such a life as yours has not filled up its measure of practical good until posterity has had the benefit of its example."

Fully coinciding in this opinion, I feel that Miss Dix's biographer, Mr. Tiffany, has earned the thanks of all lovers of their kind for giving to the world, as he has done, so interesting a record of Miss Dix and her life work,* a task, the difficulties of which were not a little increased from the fact that many years before her death, Miss Dix had (in what Mr. Tiffany terms a mistaken sense of self-effacement) given positive orders to her many friends to destroy her letters. We rejoice that some of her friends disregarded this request, as the material thus fortunately preserved has greatly helped Mr. Tiffany in giving in his pages the vivid and life-like presentment we there find of this noble benefactor of her kind. One can hardly read the book without being the better for it. It is the record of a marvelous and eminently useful life, a loving and sympathetic, but faithful and discriminating, memorial of a gifted and noble woman.

Miss Dix has frequently been compared to "Howard." Indeed, she has been called by some "the female Howard," and to her as to him, the title of "Philanthropist" seems peculiarly to apply. There is, no doubt, a striking resemblance in many of their leading characteristics. The same iron will, the same unwearied energy, the same entire consecration of their lives to the great mission of charity, the same dauntless courage, the same absence of personal ambition, the same disregard of popular applause, both equally possessed. But in the woman's case

* See life of Miss Dix, by George Tiffany, Boston.

there was happily an utter absence of those strange moral obliquities which cast so dark a shade over the family relations of the man. In their life story, too, we find some striking contrasts. Measured by the actual results accomplished by each during their lives, Miss Dix's labors were incomparably the more fruitful. Almshouses and prisons built, altered, and improved; countless vast asylums called into existence over the United States, Canada, and Europe; the whole treatment of the insane revolutionized in America and largely also in Europe. These are a few and only a few of the results of her energy, zeal, and indomitable will.

In Howard's case, on the contrary, the immediate results of his heroic and self-denying labors were scanty and discouraging. His work, it has been truly said, was preëminently and almost exclusively *educational*. The immediate practical outcome was almost *nil*. Of both it might be said that "They went forth weeping, bearing precious seed," but of her only could it be added, "That she returned rejoicing bearing her sheaves with her." Howard indeed sowed with tears but assuredly he did not "reap with joy." Again, in the last scene of all, how much kinder fate was to the woman than the man. Howard died in remote Cherson in South Russia, struck down by fever caught on one of his missions of mercy, far from his kindred and his friends—a stranger in a strange land.* Miss Dix's passing away, on the other hand, was a veritable *euthanasia*. She breathed her last, watched over and ministered to by loving and sorrowing friends, under the roof of one of the noble institutions which she had herself called into existence, one to which she had always felt especially attached and which she was accustomed affectionately to speak of as "her first-born child."

We gladly pass over her sad and desolate child-life, a period

* The year 1890 was the first centennial of Howard's death. In this connection it is pleasant to record the fact that the "Howard Association," of London, England, a society which so worthily bears the name and so ably advocates the teachings of the philanthropist, received an intimation, at the date of the centennial, from the municipal authorities of Cherson, that they too were then officially celebrating the occasion, and expressing their sentiments of deep respect for the memory of Howard and their entire sympathy with the lofty and humane ideas which inspired his indefatigable labors.

so sad and desolate that she could never to the end of her long life be induced to speak of it, even to her most intimate friends.

At the early age of fourteen she made her first attempt at teaching, an occupation which, with frequent interruptions from her feeble and broken health, she continued to pursue with all the natural intensity of her character, until 1830, when she utterly gave way, exhausted by her incessant labors.

To secure for herself a moderate competence and to educate and start in life her two younger brothers were the two objects for which Miss Dix had set herself to work. The former of these was fully accomplished and the latter partially at least, before the utter collapse of her health in the spring of 1836 compelled her to abandon all thought of school teaching as a profession. A voyage to England, a summer there, followed by an autumn in the south of France or Italy was the course prescribed for her by her physicians. Her state of health on reaching Liverpool was such as to make further travel impossible. She found, however, here in the family of Mr. William Rathbone (a leading Unitarian merchant of Liverpool, to whom she had an introduction from her old friend, the eloquent and lovable Unitarian minister, Dr. Channing) kind friends who received her at once into their home and hearts and made her a welcome and happy inmate of their charming household for a year and a half, while she was slowly recovering from her severe and protracted illness. This sojourn with her new-made friends at Liverpool Miss Dix always spoke of as the jubilee year of her life, "the period in which," as her biographer writes, "in spite of all its pain and the near prospect of death, she felt she had been permitted the most luxuriously to surrender herself to leisure, beauty, domestic love and spiritual communion with Heaven."

But we must hurry on to the special life work of Miss Dix in the field of philanthropy, which was not begun until March, 1841, more than three years after her return from her pleasant home at Liverpool. It was an accident, apparently, which started her on her career—the fact of her attention being called in some way to the terrible state of things prevailing in the jails and almshouses of Massachusetts. She was greatly shocked, and

resolved at once to inquire into the facts; the result was to launch her on the noble career of mercy which was to engross during the rest of her life all her time and thought and strength.

Here we cannot help noticing the strange similarity in the starting points of the careers of the two philanthropists Howard and Dix. As his life work was begun by his visit to the jail of the county of Bedford, so hers was begun by her visit to the jail of East Cambridge, Mass. The date of the former marks the most important epoch in the history of prison reform, and the latter a no less important epoch in the history of asylum reform. If Howard may be truly called the evangelist, the bearer of good tidings to the cruelly abused prisoner of his time, Miss Dix may as truly be called the evangelist of the equally ill-treated, and still more unfortunate creature, the pauper maniac of her generation.

Begun in 1841, Miss Dix's labors were destined not to close until her death forty-five years after, in July, 1887. These forty-five years naturally break up into four unequal periods, each distinctly marked either by the character of the work done or by the theater in which it was carried out. I shall endeavor to give a very brief outline of the work done in each of these periods.

The inspection of the jail in East Cambridge, Massachusetts, to which we have referred, was followed immediately by a patient and thorough examination of all the jails and almshouses of that state. This "descent into Inferno," as Mr. Tiffany styles it, occupied two years, and its results are embodied in a memorial addressed to the Legislature of the state, in which is set forth eloquently in terrible detail the horrors she had witnessed, the condition of utter degradation and misery of the inmates of the jails and almshouses, revealing "many things," as she wrote, "from which her woman's nature shrank with peculiar sensitiveness." It was during this investigation into the jails and almshouses of her state that her attention was called incidentally to the condition of the pauper insane who were there confined. Her reference to these unfortunate creatures opens with this paragraph: "I proceed, gentlemen,

briefly, to call your attention to the present state of insane persons confined within the Commonwealth in cages, closets, cellars, stables, pens; chained, naked—beaten with rods and lashes into obedience."

To this class, the pauper insane, "those most helpless of God's creatures" as she elsewhere calls them, her labors for the rest of her life were to be more particularly devoted. Yet she never ceased to strive earnestly and with marked success to improve the condition of the jails and almshouses of her native country and advance in every way the cause of prison reform, and of philanthropy in general, whenever it was in her power to do so.

We who are privileged to live in the last decade of this nineteenth century find it difficult to realize the condition of the unfortunate pauper insane all over the world when Miss Dix entered on her ministry of mercy, just fifty years ago. Now we see handsome and commodious structures erected especially for the insane, surrounded generally by well-kept, park-like grounds. Entering, we find airy, well-lighted corridors, exquisitely clean and home-like dormitories, sitting rooms comfortably furnished, attendants kind, gentle, and attentive, and patients, who are rarely, if ever, subject to any physical restraint, looking generally well cared for and contented; and then we know, before all this, that everything that science and humanity can accomplish is being done to minister to the mind diseased; that every effort is made to restore the reason when it is possible, or if not, to make the condition of the afflicted ones as cheerful and bright as may be. How different this from the treatment meted out to the unfortunate pauper insane in this Canada of ours, and indeed, all over this continent and even in the most civilized countries of Europe fifty years ago. And how much, how very much, of this beneficent and blessed change is due to the indefatigable exertions and lasting influence of Miss Dix.

Miss Dix's memorial fell like a bombshell, says Mr. Tiffany, into the Legislature of Massachusetts. But it proved successful. A bill was passed by a large majority providing additional accommodation at Worcester for 200 insane persons. In this

her first great legislative battle, Miss Dix had as allies her old friend Dr. Channing, the celebrated Dr. S. G. Howe, then a member of the Massachusetts Legislature, and the Hon. Horace Mann, a leading educational reformer.

We next find Miss Dix in Rhode Island, where the condition of the pauper insane was quite as deplorable as in Massachusetts. Here she astonished her friends by her success in obtaining from a wealthy business man (who up to that time had never contributed to any benevolent or charitable object) a sum of $50,000 to increase the accommodation for the insane in that state. But Miss Dix was soon convinced that the evil which she was striving to remedy was so vast and widespread that no private benevolence could adequately cope with it. She saw clearly that it was only through the intervention of the Legislature of each state that the large amount necessary for the purpose could be provided. The Herculean task, therefore, to which Miss Dix proceeded to address herself was to induce the Legislature of each separate state to take immediate measures to provide suitable asylums for the accommodation of the insane within their borders. And to this work she was to devote all her energies and resources for the next thirteen or fourteen years, indeed, we might say for the rest of her long life.

It is impossible here to enumerate the results of her indefatigable labors in that time. Suffice it to say, that within the next ten years she *carried* as Mr. Tiffany phrases it "the Legislatures of New Jersey, Indiana, Illinois, Kentucky, Tennessee, Missouri, Mississippi, Louisiana, Alabama, North Carolina, South Carolina and Maryland." Having through her impressive pleadings induced these several Legislatures to appropriate grants varying from $50,000 to $200,000 for the purpose of erecting suitable state asylums for the pauper insane of the state.

"The amount of labor, physical, mental, and emotional, involved in conducting these campaigns, and no other word but 'campaigns' can adequately characterize them, was," writes Mr. Tiffany, "enormous." Happily the beneficial results were equally enormous! But even these astonishing labors did not exhaust the energies of Miss Dix.

During this same period she laid this "Canada of ours" under a deep debt of gratitude, for she succeeded through her influence in establishing two entirely new asylums in these British Provinces, one at Halifax, Novia Scotia and the other at St. Johns, Newfoundland. She had, moreover, as early as 1843 memorialized the Provincial Parliament of Canada "to erect an asylum in Toronto," and Sir Charles Metcalfe, then Governor General of Canada, in writing to her, ascribes the erection of that much needed asylum mainly to her efforts and labors. Nor are these the only things for which we in British America have to thank Miss Dix's ever active and catholic benevolence, "a benevolence which ignored custom's lines and overleaped the barriers of international Chinese walls."

While she was engaged in asylum work at St. Johns, Newfoundland, in 1853, a fearful storm occurred, attended with appalling shipwrecks and loss of life on that terrible "Graveyard of Ships," Sable Island, a Canadian island off the coast of Novia Scotia. So deeply impressed was Miss Dix by the accounts of these frightful shipwrecks that she resolved to make a voyage to this dreaded locality "to study on the spot whether something more effective could not be devised for the safety of those exposed to such frightful perils." Finding the boats at the Relief Station on the island, and the life saving apparatus generally far behind the requirements of the day she, through her friends at Boston and New York, speedily raised funds sufficient to supply the island with life boats of the most approved kind, and with a full equipment of life-saving apparatus. She had not long to wait for the reward of her labors in this case. Within twenty-four hours after the landing of her boats and other apparatus, the ship "Acadia," of Antwerp, was wrecked on the island. Through the means of Miss Dix's boats all the passengers and crew (180 souls) were rescued from the wreck and safely landed. But for these boats all must have perished.

Nothing has been said in reference to the work done by Miss Dix during this period in the reformation of jails and almshouses, and on this branch of her labors Mr. Tiffany gives but scanty information, but her friend, Horace Mann, assures us

that the work done by her in this way "would make as wonderful a record as her more especial work in behalf of the insane.

This first period of Miss Dix's labors, which in the earlier part had been a continuous series of brilliant successes, was destined to close in a most bitter disappointment—the defeat, in 1851, of the bill passed by Congress granting 12,500 acres of the public domain for the benefit of the indigent insane, the idiots, the epileptic, and deaf and dumb of the Union. After a Congressional campaign (as her biographer terms it) of six years, during which she displayed the most unwearying patience, energy, and tact, she had, at last after innumerable disappointments, succeeded in getting "her bill" passed through *both Houses* of Congress in *the same session;* thus apparently securing beyond a *peradventure* the success of the measure. But, alas, it was not to be—at the last moment the bill was most unexpectedly *vetoed* by the president, Franklin Pierce, and thus six years of most anxious work was rendered fruitless. Whether this veto was on Constitutional grounds we need not stop to consider, but any one who reads the graphic account Miss Dix gave in the memorial which she laid before Congress in 1848, of the condition of the vast and miserable assemblage of idiots, epileptic and insane paupers scattered by thousands through the jails and poorhouses of the states, lacerated with ropes, bound with chains, scourged with rods, and subject to every species of outrageous violations, cannot wonder at her appeal to the nation on behalf of these unfortunate creatures who through the providence of God are wards of the nation and claimants on the sympathy and care of the public. Much less can we feel surprised that the failure of her benevolent efforts, when their success seemed secure, should have crushed her to the earth, prostrated mentally and physically by the blow. Absolute rest and change were imperatively necessary, and in October, 1854, she again became an inmate of the home of her old friends, the Rathbones of Liverpool.

In the following February, Miss Dix resumed her labors, after her brief sojourn at Liverpool and a hurried visit to Ireland. At Edinburgh she entered into the second period of her life-

work. We find her there visiting the public institutions of the city and the private establishments for the insane, all of which she considered preëminently bad.

The Scotch medical men resented, perhaps not unnaturally, the intrusion into their domain of this foreigner and woman, this "American invader." But notwithstanding their opposition, she made her examinations, which resulted immediately, through her influence with the government in England, in the issue of a lunacy commission to inquire into the condition of the Scotch asylums, and eventually, in 1857, in the passing of an act revolutionizing the lunacy laws of Great Britain, and in her biographer's words "inaugurating a new epoch in humane and adequate provision for the insane, especially the pauper insane of Scotland."

Here, as everywhere else, one meets with striking illustrations of the extraordinary personal influence, personal magnetism, if you choose, which Miss Dix exercised over the minds of those with whom she was brought in contact, leaving them so impressed with her ideas, so inspired by her enthusiasm that they could be relied on, after her departure from the scene, to carry out her schemes on the lines and in the manner which she had laid down, and with something even of her zeal and energy.

After her work in Scotland, Miss Dix was again forced by a combination of physical ailments, to rest for a season. She found a restful home with her friends, Dr. and Mrs. Tuke, of York, where she spent several weeks, "very feeble, but not helpless and never cheerless," as she herself writes. Some time before this her attention had been directed by an accident, or by what she calls a "lead of providence," to the wretched condition of the pauper insane in the Channel Islands. There she felt she was now called by duty and as soon as her health permitted she was found in Jersey. Her stay here though limited to a few weeks, was long enough to enable her, with the assistance of Dr. Van Leaven, an eminent philanthropist resident in Jersey, to induce the local authorities to pledge themselves to erect a suitable building for one hundred pauper patients—a pledge which unfortunately it took thirteen years to translate into action.

To gather up her strength, Miss Dix spent a few months with her friends, the Rathbones, in Switzerland, where "beyond the reach of the sounds of the afflicted ones," she could yield herself up to the enjoyment of the glorious scenery around her before engaging in her work on the continent of Europe. She entered upon these European explorations equipped apparently but poorly for the task, being in feeble health, alone, and entirely ignorant of all the European languages, excepting French, of which she had only a slight knowledge; and yet she had no difficulty, she tells us, in finding her way into all the hospitals, prisons and other institutions which she chose to visit, carrying with her apparently some mysterious power which acted like an *open sesame* to all those places, usually closed against the curious.

In twelve months she traversed Italy, Greece, Turkey, Austria, Russia, Sweden, Norway, Holland, and Belgium, returning by way of France to England. "Day by day," writes Mr. Tiffany, "she patiently explored the asylums, prisons and poorhouses, of every place in which she set her foot, glad to her heart's core when she found anything to commend and learn a lesson from, and patiently striving, wherever she struck the traces of ignorance, neglect, or wrong, to right the evil by direct appeal to the highest authorities, and by the distribution of books and reports, embodying clear information as to the best methods of hospital or prison construction and modes of treatment. How much she thus effected in the way of correcting abuses and stimulating the minds of earnest workers for humanity, will be known only "when the secrets of all hearts are revealed." Her journeys were confined, she tells us, "to those places where hospitals or the want of hospitals called her." She writes with some surprise apparently, that "for the insane in the hospitals in Petersburg and Moscow she had nothing to ask." They possessed every comfort and all needed care. Again she found a very well directed Mohammedan hospital at Constantinople and an excellent asylum at Naples in King Bomba's territory; but one of the worst of all at Rome, under the shadow of the Vatican! With reference to this last she had an interesting interview with Pope

Pius IX., with whose saintliness and benignity she was much impressed.

How literally does this second "circumnavigation of charity," writes her biographer, recall Edmund Burke's tribute to Howard after the earliest one made by him in this same cause. "He has visited all Europe—not to survey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur; not to form a scale of the curiosities of modern art; not to collect medals, or collate manuscripts: but to dive into the depths of dungeons; to plunge into the infection of hospitals; to survey the mansions of sorrow and pain; to take the gauge and dimensions of misery, depression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken, and to compare and collate the distresses of all men in all countries. His plan is original; and it is as full of genius as it is of humanity. It was a voyage of discovery; a circumnavigation of charity."

On her return to her native country in 1856, with which the third period of her work begins,* Miss Dix was met by urgent appeals for assistance and advice from all parts of the Union and even from Canada. New asylums were needed here, extensions there. Managers of asylums established through her agency before she left for Europe sorely needed her guidance and advice in carrying on their work. The four years which elapsed before the outbreak of the Civil War were years of unremitting activity. "They were marked," writes Mr. Tiffany, "by obtaining larger appropriations of money, for purely benevolent purposes, than probably it was ever given to any mortal in the Old or the New World to raise." Many new asylums were established and nearly all the old ones extended. To accomplish these results much traveling was necessary. Indeed, during that time Miss Dix visited nearly all the states and Canada, and wherever she went she was met with a warm

* The writer of this article thinks it not out of place to mention here that during a decade of the years included in this portion of Miss Dix's philanthropic mission, namely, from 1859 to 1869, he was a member of the first Board of Inspectors of Asylums and Prisons in Canada. From the character of his official duties at that time, he naturally took a special interest in the marvelous work then being done in the same field by Miss Dix—both in her own country and in Canada.

and cordial reception, as though she were an old friend. In far-off Texas even, the keeper of a tavern on a lonely prairie assured her "That there was a home for her in every house in Texas." "My eyes fill with tears," she writes, "at the homely heart-warm welcome, the confidence, the cordial good will with which my countrymen receive me everywhere."

One of the last things accomplished by Miss Dix in the cause of the insane before the outbreak of the war was the extension of the state asylum of South Carolina. Her letter from Columbia, dated December, 1860, respecting this, reads like Cæsar's celebrated "*veni, vidi, vici*" despatch. "I had no time to lose and at once saw," so she writes, "the Senate and House Committees, reasoned, explained, persuaded, urged, till I secured a unanimous report from these parties to their respective bodies, in favor of an extension by new wings of the State Hospital for the Insane." She adds in the same letter "my bill has passed both Senate and House by almost unanimous vote and I go hence to attend to some hospital interests at Charleston, S. C."

On the breaking out of the war Miss Dix hurried to Washington feeling that her duty lay near military hospitals for the time. Where misery was likely to be the greatest, there she thought she was most needed, and there she ought to be. She was at once appointed superintendent of women nurses for the general and military hospitals, with almost unlimited powers—a position which well-nigh overwhelmed her with the "Atlas weight of cares and responsibilities" which it brought upon her. Through the whole of the four long years of the war, old, wearied, and well-nigh worn out as she was, she never relaxed in her devotion to her new work. "Unflinchingly," writes Mr. Tiffany, "did she remain at her post, organizing bands of nurses, forwarding supplies, inspecting hospitals, and in many a case of neglect and abuse making her name a salutary terror."

At the close of the conflict, Mr. Staunton, the secretary of war, feeling how great a debt the country owed to the woman who had been the first on the ground and the last to quit the post of duty, appealed to her to know in what shape it would be most agreeable to her to have her services recognized, a vote

of money from Congress being one of the modes suggested. The answer was worthy of the patriotic woman — "The flag of my country." A beautiful set of the national colors was accordingly specially prepared for her and forwarded to her with a suitable order from the War Department, acknowledging her inestimable services for the care, succor and relief of the sick and wounded soldiers on the battle fields, in camps and hospitals during the war.

For the eighteen months following the war Miss Dix found herself involved in works of various kinds arising out of it. Commissions from dying soldiers, involving endless correspondence with their families, also care of the many nurses invalided in their work and left poor and unprovided for, for whom she became a sort of "volunteer pension agent." Moreover she assisted with her characteristic energy in the patriotic work of erecting the monument which now stands in the national cemetery at Hampton, Virginia, "In memory of the Union soldiers who died to maintain the laws."

With the close of the war begins the fourth act of this remarkable life drama.

Miss Dix, now sixty-five years of age, once more assumes her asylum work, "never relaxing," writes Mr. Tiffany, "in the fidelity with which she pursued it, till, at the age of eighty she retired, incapacitated for further service, to the shelter gratefully tendered her by the board of managers of the asylum in Trenton, N. J., her "firstborn child." The condition of the asylums in the South after the war was most deplorable, partly from the utter impoverishment of the whole country and partly from their being under the control of Legislatures packed with "brutal plantation negroes." Earnest appeals came to her for help and advice, and she at once answered the appeal. From Maine to Texas, from New York to San Francisco, she is perpetually on the wing, visiting the asylums wherever she goes and bringing help and comfort to the miserable. She also resumes her old inspection of almshouses and jails, and finds all sadly defective and inadequate. No wonder that a cry of despair again and again breaks out in her letters to her

friends at this time at the apparent failure of all her efforts!

But notwithstanding these occasional despondent utterances, her labors during these, the concluding years of her active life, were attended with most cheering results. In 1868 a new hospital for the insane, was, through her influence, opened at New Haven, Connecticut, and in the same year she secured from the Legislature of Pennsylvania an appropriation of $200,000 for a third hospital in the northeastern district of that state. "One by one," writes Mr. Tiffany, "she now took up the cause of the many asylums she had founded, laboring indefatigably toward their restoration and enlargement and toward infusing into the minds of new Legislatures liberal and rational ideas on the whole subject of the treatment of insanity." It cannot be denied that Miss Dix's visits to asylums at this time were regarded by the superintendents and others in authority with somewhat mixed feelings. While all were ready to acknowledge her intimate acquaintance with every detail of the management of asylums and the treatment of the insane, while they could not fail to regard Miss Dix as a very "Angel of Mercy" so far as the helpless patients were concerned, yet they could not forget that she was also in her own person a very "commission of lunacy," so quick was she to detect, so severe to censure any shortcoming or neglect on the part of those to whom the care of these unfortunates was entrusted.

But her labors for the insane did not by any means exhaust all that Miss Dix accomplished in these latter years for the good of her fellow-creatures. "It was noted," writes Mr. Tiffany, "that whenever any great calamity occurred like the terrible fires which destroyed such large portions of Chicago and Boston, Miss Dix was sure to be on the spot with sums of money which she had collected from her friends and quietly and judiciously searching out for herself when help was most needed, or what persons already on hand could be relied upon to expend the fund most wisely."

Alas! the end of this marvelous career of all-embracing philanthrophy was near. In October, 1881, worn out with fatigue, Miss Dix, now in her eightieth year, went for temporary rest to

her favorite hospital home, the Trenton Asylum in New Jersey. Her earthly journey was never resumed. Learning of her very serious illness and that it was unlikely she would ever be strong enough to leave the institution, the managers by unanimous vote invited her to end her days under the roof of the institution she had founded and loved so much, as its revered and honored guest—an invitation which she unhesitatingly and gratefully accepted; and most fitting and proper it was (as Mr. Tiffany says) that this woman who had known no home for the greater part of her long life, who had lived always for the public good, should end her days not in a private house but in one of those institutions which she had herself called into existence.

"It is consolatory to know that during the four years that Miss Dix was destined to linger on in her hospital home, she was not forgotten by her friends; not only was she ministered to by faithful and loving ones in the asylum, but she was cheered by the visits of many superintendents and friends from all parts of the country, and was continually receiving 'testimonials of love and veneration' from men and women foremost in all good works throughout the country, as well as from kindred spirits on the other side of the Atlantic."

What manner of person, one naturally asks, was it by whom these almost incredible wonders were accomplished? Surely this weak and delicate woman, with her refined and intellectual nature, her low, soft voice, this woman shrinking from everything coarse and vulgar, and hating publicity, for such was Miss Dix, surely she was not the champion one would select "to battle with the miseries of the time," to visit the scenes of suffering and wretchedness, to lift aloft the flag of humanity, to plead the cause of the prisoner and the maniac with Legislatures and Congresses, before presidents and popes. But One who sees not with man's eyes, and judges not with man's judgment, made the selection, and assuredly the instrument was found well fitted for the work. For Providence had endowed her with special gifts which more than compensated for the apparent physical and mental disqualifications which have been noticed. In the first place she had an exhaustless fund of compassion, a con-

straining desire to help the suffering and distressed; in other words she possessed abundantly that "most excellent gift of charity," and with that were united an inflexible resolution, an iron will, a dauntless courage, and a marvelous personal magnetism.

When we know that these exceptional moral and intellectual gifts were the gifts of a sweet and attractive woman, whose appeals were always made with great simplicity and directness, but with touching eloquence and fervor we cease to wonder at the extraordinary influence she exercised over those with whom she came in contact, we begin to understand how it came to pass that hard-headed, close-fisted men, that Legislatures and Congresses felt irresistibly constrained to do her bidding, and place their riches at her disposal for the charitable and benevolent work which she had at heart.

For such a woman with infinite compassion in her heart and an infinite constraining desire to relieve suffering and distress, one can also understand that so long as her weak frame could hold out there could not be any voluntary cessation from her labors, any folding of the hands to rest, so long as there were any unfortunate and afflicted ones "feeling through darkness for the hand of help," and calling upon her for sympathy and aid. Little matter to her what the creed, what the color, what the nationality of the sufferers. Enough that they were men or women who needed help. To every cry of distress her ear was open come whence it might.

Familiar she was, as few others have ever been, with every note on the gamut of human misery, every tone of "the still sad music of humanity," and each one was sure to touch a responsive chord in her sympathetic breast. The appeal once heard, "come over and help us," whether uttered by the wretched maniac in Nova Scotia, New Foundland, or Scotland, or by those in the "dark dismal dungeons" of the Channel Island houses for the insane, or by those perishing unregarded on the surf-beaten reefs of Sable Island, she was as ready to obey the summons, as willing to spend and be spent in the service of the sufferer, as ever she had been to plead the cause

of the helpless and afflicted ones in the almshouses, the jails, and the asylums of her native land. Assuredly she might, if any one could, have taken as the legend of her shield, the noble sentiment of the heathen poet, *Homo sum; nil humani a me alienum puto.**

In the foregoing brief sketch, for the facts of which I am indebted to Mr. Tiffany's admirable biography, I have endeavored to indicate the infinite variety and enormous amount of practical benevolent and philanthropic work brought to a successful issue by Miss Dix during her life. The story reads like a romance—and yet the sketch is very imperfect and incomplete, as I have been, of necessity, compelled from want of space to pass over unnoticed a large portion of her successful labors. In concluding, I think I am warranted in saying that it would be difficult to point to any man or woman in any age or country who has labored so lovingly, so unweariedly, so wisely, and so well, to succor the sons and daughters of affliction, to lift the burden of the poor and suffering, and especially to bring comfort and hope to the most "helpless of all God's creatures," the indigent insane.

Surely the name of Dorothy Lynde Dix will be held in honored and grateful remembrance so long as we have with us the poor, the prisoner, and the maniac.

E. A. MEREDITH.

* I am a man, and whatever affects my brother man has interest for me.

ANOTHER VIEW OF THE SILVER QUESTION.

BY JOHN S. HOPKINS.

BELIEVING the columns of THE AMERICAN JOURNAL OF POLITICS are open, and its many thoughtful readers ready to hear the other side of any political proposition, not generally agreed upon and definitely determined, I therefore desire to present for consideration, another solution of "The Silver Question." A short way sometimes to state one's position is to deny the correctness of another's.

While Mr. William P. St. John, president of the Mercantile National Bank of New York, is on the right road toward a solution of "The Silver Question," I do not think he is quite in the middle of the road, yet he is not so far away as our "Free-Coinage-15-to-1-or-20-to-1" fellow-citizens are, and they are not so far from the middle of the road as the "legal-tender-paper-money-without-gold-or-silver-backing" fellows are.

I believe I am in the middle of the road, as is said in Kansas, and let me state why I think so, and if others are not there, how they can get there.

First—Let our mints receive without limit, all deposits of gold and silver bullion of the United States and issue therefor *legal tender notes* of the United States in amounts of one, two, three, five, ten and other denominations, equal to the bullion value of gold and silver presented to the mints for deposit, which legal tender notes shall be redeemable, on request of the note holder, in gold and silver bullion (not generally in coin, only specially as hereinafter stated) at the option and convenience of the United States.

Second—Let the United States refuse to receive foreign silver, and issue silver certificates therefor at its market value,

as long as the United States may and can obtain from the mints of the United States, silver at the world's market value thereof.

Third—All now outstanding gold and silver certificates, all coin money of the United States, and all paper money of the United States, make redeemable when presented, in gold and silver bullion, at the market value of gold or silver bullion, when presented.

Fourth—If any person should desire in *coin value*, instead of bullion value, his one, two, three, five or ten dollar certificate, let the United States specially coin a dollar's worth of gold or a dollar's worth of silver for each dollar named in his certificate, and make said coin money again redeemable in gold or silver bullion, according to the market value thereof, as above stated.

Fifth—Let these paper dollars, redeemable in a dollar's worth of gold or silver, be a legal tender for a dollar's worth of any thing—any commodity, any obligation, any indebtedness.

The result of such action on the part of the government, in my opinion, would be: that such paper dollar certificates would be more acceptable than gold or silver coin dollars. That such certificates would buy at all times and all places on earth, a dollar's worth of gold, a dollar's worth of silver, a dollar's worth of wheat, wool, cotton, meat, or a dollar's worth of any commodity, and honestly pay a dollar's worth of any debt. That such certificates would never fluctuate in value, while gold, silver, corn, meat, brass, copper, cotton, and every other commodity do fluctuate. That the people would have plenty of sound money without any "fiat" in it; a stable, unvarying unit, or thing, for measuring values—a paper dollar.

We would have a piece of paper worth at all times a dollar's worth of gold or a dollar's worth of silver, not a coin of gold worth one hundred cents of gold bullion one day and eighty-five cents another day, and a silver coin worth one hundred cents of silver bullion one day and fifty-eight cents another day, each kind and piece of coin varying more or less according to the market value of bullion, as a coin dollar always has and always will to a greater or less extent.

Free coinage advocates should not complain, for they could

get a dollar for every dollar's worth of gold or silver. Bi-metallists should not complain, as gold and silver would soon grow to a "natural parity." Only "gold-bugs" and "paper-money-backed-by-faith" men would or could find fault.

By this plan the volume of money would be sufficient and become steady, and would not vary according to the caprice of the governmental party in power. The loss by abrasion and the expense of coining gold and silver, which is millions annually, would be saved.

The assertion made by Mr. VanBuren Denslow, LL.D., in his "Principles of the Economic Philosophy of Society," page 335, that "money coined is far less variable than the bullion of which it is made," would no longer prove true, if all attempts of the government to make something worth less than a dollar equal to a dollar could be checked.

This plan would make the *paper dollar* the measure of value of all things, instead of having coin money of changeable value, the measure of value.

There is nothing desirable in using a gold or silver yard stick, or a gold or a silver bushel measure, or a gold or a silver pound weight, but let us have these certificates, redeemable in a dollar's worth of gold or silver, as gold and silver sells in the market of the world, and for the very best of reasons, that is, the limited amount of gold and silver, is the best natural measure (far better than a Congressional one) of the quantity or volume of money, quantity or volume being the one great essential of the thing used to measure values, and there is just enough of the natural quantity of gold and silver together, on which to base sound paper money.

Let us remonetize silver immediately and place silver and gold on the same financial plane. No one is quite ready yet to do business on faith, or the promises of the government to pay. If we find we have not sufficient currency of good solid paper money to meet the commercial wants of a rapidly developing nation, let us monetize in addition to gold and silver, some other valuable metal, and issue dollar certificates therefor.

We should stick to the old half bushel, the yard stick, and "a



pound is a pound the world 'round." Let us not "deyardalize" the yard stick or "depoundize" the pound or "smallerize" the gold dollar to the temporary benefit of the debtor and temporary injury of the creditor classes. But let the government receive of the silver miners, their silver at the world's market value of silver, and for no more, as a backing to these certificates; and receive of the gold miners, their gold at the world's market value of gold, and for no more, as a backing for these certificates.

Then the producers of a dollar's worth of corn, wheat, cotton, lumber, meat, wool, butter, eggs, lead, iron and of all other things, can get a dollar's worth of silver or a dollar's worth of gold, and no more and no less, for the same through this representative money, these gold and silver certificates.

JOHN S. HOPKINS.

WEALTH AND ITS DISTRIBUTION.*

BY E. N. DINGLEY.

THE PRESENT prevailing spirit of unrest and discontent among the masses, is due somewhat to a failure to understand and appreciate the full significance of property or wealth, and the modern methods of its acquisition and distribution. It is true that there are many millionaires and many times as many poor. It is true that the summer sun, God's gift to all, shines equally upon the palace and the hovel, dazzling the one and consuming other. But unless it can be shown that the property and material wealth credited to the former, and expressed in dollars and cents, has been reduced to possession by methods in conflict with law and equity, there is no vulnerable point at which the possessors of it can be assailed. Let us examine this point.

ACQUISITION OF WEALTH.

Blackstone says: "Necessity begat property." Writers may differ as to how property once belonging to everybody becomes the exclusive property of somebody; but all agree that occupancy originally secured title. The entire territory now comprised within the confines of the United States, originally belonged to the Indian tribes that occupied it. It, however, was acquired by European countries by means of discovery and a rude mockery of purchase. The thirteen colonies in North America existed by right of English charters, the land in theory and by right belonging to the king of England. The Revolution settled the title of this territory in the hands of first, the Confederacy of States, and finally the United States, and all subsequent grants of land were made to newly formed states or individuals by the United States.

* [Suggested by an article in the June Number of THE AMERICAN JOURNAL OF POLITICS, entitled: "The Danger of the Hour."]

Can anything be clearer than that the title to real estate acquired by descent or purchase, and now in exclusive possession, is founded on law, equity, justice and common sense? The old common law, upon which our law is founded, recognized the right and title to property acquired by escheat, occupancy, prescription, forfeiture, and alienation, which latter included by deed, by matter of record, by special custom and by devise. If then, real property is thus legally reduced to possession by means of a system founded on customs, tradition, and humanity, and standing the test of time, there ought not to be any real danger lurking therein. But if there is, what remedy can be applied save that of wholesale seizure and confiscation, which no sane man would advise? It is precisely the same with personal property, title to which under the common law could be acquired by occupancy, by prerogative, by forfeiture, by custom, by succession, by marriage, by judgment, by grant, by contract, by bankruptcy, by testament and by administration. Title to personal property acquired in any of these ways cannot be disputed.

But the progress of society, its rapid growth, materially and industrially, has broadened the field for the acquisition of wealth. Inventions, labor saving machines, discoveries and newly applied sciences, have completely tranformed the methods of production; speculation in many forms anticipates production and increase; while an ingenious system of credits and discounts facilitates the exchange and distribution of wealth. The wealth of the nineteenth century comprises hundreds of items that were not dreamed of in Blackstone's time. In other words, with the advance of civilization have come new elements which enter into the problem—elements which are not susceptible of lineal or cubical measurement, but are due to the growth and condition of society, the progress of the world and the genius of man. And yet these new-found elements are valuable, can be reduced to constructive, if not absolute possession, and constitute wealth which can be expressed in dollars and cents.

UNEARNED INCREMENTS.

We hear a great deal about the "unearned increment." We are told that the owner of a piece of land is not entitled to the

rise in value due to the growth of the community. It is argued that the owner of railway shares is not entitled to the rise in value due to the growth and development of the country through which the road runs, or due to any other cause for that matter. The toilers in the field and at the bench join in condemning a social and economical system that allows them to labor for ten hours a day for merely a comfortable living, while their neighbor, with apparently no labor at all, accumulates a fortune. The latter, it is maintained, grasps wealth by absorbing the product of, or the result of, the labor of others—fattens, in other words, off this mysterious "unearned increment," at the expense of society. Let us examine this for a moment.

Nature is forever progressive. There is in all these kingdoms—the animal, vegetable and mineral—a constant evolution taking place. By a slow and subtle process, a transformation and growth is ever going on. The colt becomes a horse; the seed becomes the grain; the carbon becomes a brilliant gem; and in all these cases of growth and transformations, there is a corresponding increase in value—that is, the article in the second stage is more useful or desirable than in the first. The question arises, who is entitled to the increase in value occasioned by no act of man? The farmer plants his seed in the spring and in due time finds himself possessed of produce. He buys a promising calf and in the course of time finds himself possessed of a splendid cow. But why is this physical transformation an increment at all? As far as nature is concerned it is merely a change of form; but as far as society is concerned it is an increment. So that the essential element to an increment at all, is a society having wants to be supplied.

Is it not precisely the same in the industrial world? A piece of leather is by the skill of the artisan, transformed into a pair of shoes. To the shoemaker already supplied with shoes, this is merely a change in form; but the moment the other element is supplied, namely, society, the transformation becomes an increment, for the shoes are more valuable to society than the leather. But is not the shoemaker entitled to this increment, although he had nothing whatever to do with supplying the element

that made his shoes more valuable than the leather. And is not the farmer entitled to this increment, although he had nothing whatever to do with the actual transformation or supplying the other element, society? This increment, therefore, is entirely outside the change or transformation, and is due to another cause altogether. We are driven to the conclusion, then, that all increments, depending as they do upon the existence of a society with wants to be supplied, are logical, economical and legitimate.

A has a piece of land which he has appropriated to his own use. He does not alter it materially, but in the course of time a legitimate increment takes place because of the existence and growth of a society with wants to be supplied. Society certainly would not claim the increment in the case of the farmer's seed or cow; neither would it claim the increment in the case of the shoemaker's shoes; nor can it claim the increment in the case of A's piece of land. In all these cases, it is very evident that the increment is due, not to the natural or artificial transformation, but to the existence of a society. *Per contra*, if society does claim the increment in the case of A's land, it can claim the increment in the other cases with equal justice.

In the complex transaction of the industrial world, it is not necessary for those who supply the necessary funds to actually have a hand in transforming the goods, in order to be entitled to what is known as the increment. The carriages which a corporation hires its laborers to build, are just as much the exclusive property of the corporation, as though every member thereof had individually labored with his hands in working the wood and iron into shape. By reason of the advanced methods of production on a large scale, there is an economical division of labor, and every laborer gets his claim on the value of the product, discounted, so to speak, in the shape of wages. But is not the credit in dollars and cents gained by the sale of these carriages, a valid one? In the business world, where transactions are conducted by a system of credits, it is not necessary for men to actually help build a railroad or a factory, or dig a mine, in order to be entitled to a portion of what is known as the

increment; and such increment is a legitimate object of private possession so long as the only essential element is there — a growing society with wants to be supplied.

In the old dispensation, we are taught that the three elements in the production of wealth are land, labor, and capital. But it must be remembered that there are legitimate forms of wealth in which perhaps only one, perhaps none of these elements appear. An invention, for instance, is a form of wealth, emanating from mental labor, and by means of a patent reduced to possession, and bought and sold. A treatise on philosophy or mechanics is a product of mental labor, and yet by means of a copyright is susceptible of reduction to possession, and becomes valuable property, to be bought and sold. The profit which a person makes in the purchase and sale of any given article is a kind of wealth which properly stands to his credit, although he has not actually produced anything. A buys a horse for $100, and in the course of a month sells the horse for $200. This $100 profit stands to A's credit as a form of wealth, and yet the same horse in the hands of its new owner is valued at $200, and placed on his credit side as an asset to that amount. The property, wealth, assets, or in modern parlance, credits, of an individual, firm, or corporation, consist of a variety of things tangible and intangible, all subject to increase or decrease according to supply and demand and various other causes such as good will, standing in the community, growth of population, general confidence, or lack of confidence, and so forth. A man may buy a stock of goods in a store worth as goods, $5,000; but he may perhaps get a bargain if he pays $10,000 for the business, goods and all. The extra $5,000 gives to the vender a legitimate wealth or a credit, although he, in a sense, did not create that wealth. That very day, however, the vender of this business places to his credit $10,000—one half in goods, the other half in good will. Under this system of credits, there need not be an actual increase in the production of the number of any given article, in order to have an increase in wealth or credit as far as this article is concerned. There is, therefore, an uneconomic distinction made between producers and so-called non-producers

as to their right to wealth or credit. I do not mean to say that one can get something for nothing, or can acquire wealth or credit by doing nothing. He must satisfy some one that he is giving a just compensation for the wealth or credit which he is acquiring, but this compensation may be tangible, intangible, mental or physical. It will thus be seen that the fortunes which have been and are being accumulated by means of this so-called "unearned increment," are fairly and economically obtained. There is no such thing as an "unearned increment" either in the physical or industrial world, except in the case of theft.

DISTRIBUTION OF WEALTH.

Having thus inquired into the various forms and methods of acquiring wealth, especially the so-called "unearned increment," and having concluded that all are legitimate and economical, let us consider for a moment the distribution of wealth or credit. That wealth and credit are unequally divided, there is no doubt. But why this inequality? It is because of the varying social and physical conditions existing in humanity; it is because of the different environments with which fate and circumstances surround members of society; it is because of the opportunity of one and the lack of opportunity of another. If you will tell me why one is born with high mental endowment and another with low; if you will tell me why one is born in wealth and another in poverty; if you will tell me why one has opportunities for acquiring wealth thrust upon him and another none, I will tell you why the wealth and credits of this world are unevenly distributed. But suppose the entire wealth and credits of the United States were divided per capita among the population, how long would it be ere the same few acquire the great bulk of it again? There is absolutely no remedy for this state of affairs as long as the Constitution and the laws protect private property.

CONCENTRATED WEALTH.

But are not men of great wealth and large credits, blessings rather than curses to a community? Are not the great corporations, when operated scientifically and economically, blessings to

a country? Why should there be so much alarm at the concentration of tangible wealth and the piling up of credits in the hands of a few? It is assumed that when a man has accumulated a million dollars, he has deprived 999,999 men of their share of the world's wealth, and thus impoverished them all. No man can possibly accumulate a million dollars without employing labor to a greater or less extent, and without expending and distributing some portion of his already accumulated wealth in the accumulation of more. Instead, therefore, of depriving 999,999 men of their share of the nation's wealth, a millionaire assists in clothing and feeding at least some portion of this 999,999. Every person and every corporation that has concentrated wealth, not only economizes human labor in the accumulation of more wealth, but assists in supporting a large portion of the community.

The tendency of the industrial world is toward concentration and combination to economize labor and reduce the cost of production. The man or the men who thus produce or transport to consumers, do so at the least possible expenditure of labor to the ultimate benefit of mankind. By this means, what were once luxuries are to-day within the reach of the masses. Coöperation is said to be the solution of this vexed question, and yet this combination of capital and concentration of competing groups, is the highest kind of coöperation. It places great wealth in the hands of a few, but economizes human labor and reduces the cost of production.

INEQUALITY IN DIVISION.

The assessed valuation of the personal and real property of the United States increases so much in a year. To what percentage of this increase is each man, woman, and child entitled? The ready answer is, to an amount proportionate to the individual labor contributed by each. But how is this labor to be measured? And what kind of labor is to be the criterion and unit of measure? And is actual labor the only contribution that is to share in the division of the increase? In practice it would be found impossible to divide equitably and satisfactorily the year's increase of property by any rule of human device.

Coöperation among competing groups and coöperation among non-competing groups, is tried, and with a measure of success, but the final division of the year's increase in property is still unequal. It cannot be otherwise.

This process is repeated year after year, and the few who have property to start with and energy and brains to improve their opportunities, acquire the larger percentage of the wealth of the nation. But in this unequal distribution it must not be assumed that the few actually steal from the many their just proportion of wealth. There is always some economical reason beyond the control of legislation, why A gets a larger share than B; but A does not necessarily acquire some of B's. On the contrary, it is more than likely that in acquiring his large portion, A has assisted B in acquiring his small portion.

AVENUES OF ESCAPE.

But the situation is not hopeless. The poor are still in the midst of us, and want and misery are stalking abroad. The amelioration of this condition is the social and economical problem of the day. Education toward self-help, free schools, fewer improvident marriages, and the eradication of the drink evil are some of the avenues of escape. Legislation cannot directly raise wages; it cannot permanently raise or lower the price of any commodity; it cannot put wealth into a man's pocket. It can, however, create conditions more favorable to a solution of the problem of existence and material progress.

Legislation cannot take away the sacred rights to life, property, and the pursuit of happiness. Legislation cannot obliterate personal ambition, industry, and shrewdness. Legislation cannot put brains into a man or woman. But legislation can and does very properly, regulate the rights and obligations of man to man. "Society owes no man a living" and "Something cannot be obtained for nothing," are two axioms which lie at the foundation of all true social and material progress. In a study of the acquisition and distribution of wealth and of the evident evils of our present social structure, these two truisms must not be overlooked.

There is far greater danger from a spread of the doctrines of

socialism and anarchism absorbed from our large foreign element, than from our millionaires and our corporations with their concentrated capital, and the present method of the distribution of wealth. In nearly all the recent labor troubles, the spirit of socialism and anarchism brought here by foreign laborers was found dominant; and this spirit, foreign to our soil and civilization, fanned by the minds of political demagogues, burst forth into a flame threatening to consume both employer and employed. Stop this wholesale immigration and give the old American spirit of loyalty to home institutions, of love of family and home, of trust and confidence between employer and employed, an opportunity to assert itself, and the present spirit of discontent will at least not grow worse. Well paid American labor makes happy homes, a good market for American products, and gives all a fair share in the nation's wealth.

E. N. DINGLEY.

IS GOLD ANY MORE SOUND AS MONEY THAN SILVER?

BY GEORGE CANNING HILL.

THOSE who, from interest or ignorance, set up a concerted outcry for "sound money," for "honest money," would have us think that gold only was that money; and their constant allegation in support of their worship of gold is that it possesses an almost unvarying value which entitles it to the exclusive name of "standard." But the most cursory review of the facts of monetary history shows the fallacy of such an assumption. Gold appreciates and depreciates as well as silver. Lord Beaconsfield openly admitted it in his speech "in Parliament," in March, 1879, the constricting influence on business of every kind of a steadily decreasing volume of money then making itself more and more felt in England. The gold product of Australia and California had been steadily diminishing. The continental nations were coming on to a gold basis. Population was increasing all the time, and in consequence a greater supply of money was needed to carry on its transactions. Yet this supply was continually diminishing from the disuse of silver, and gold was appreciating because other nations besides England were eager to secure their share of it.

England alone could get along very advantageously on a gold basis, but when the other nations came on to it they at once became her successful competitors, rendering her coveted advantage more and more precarious. Lord Beaconsfield confessed that a state of affairs had been brought about by gold production, "exactly the reverse of that which it produced at first." He said: "Gold is every day appreciating in value, and as it appreciates the lower become prices." In other words, the more difficult it becomes to procure money, gold being the only money, the lower prices fall; and conversely, the greater the

supply of money, the higher prices go. This is just what is meant by the definition of money as being a measure of values as well as a medium of exchange.

Now, if gold was appreciating every day in England, as Beaconsfield admitted, what becomes of the persistently repeated expression that it alone possesses an unvarying quality? That gold is of standard value, while silver varies like other commodities? Beaconsfield further stated that it might become necessary to investigate the causes which are affecting the value of the precious metals—gold equally with silver—and to further investigate "the effect which the change in the value of the precious metals has upon the industries of the country, and upon the continual fall of prices." The adoption of monometallism by Germany and France has fitly been described as a stunning blow at England's prosperity, as well as at that of all other countries which have blindly adopted her gold policy. Germany was converted by the sight of the bloated wealth of England's creditor class. She did not take into view the condition of her toiling masses, a fiery volcano of revolting and revolutionary discontent, on whose thin surface rests the whole fabric of this greedy creditor dynasty.

What has not this perilous act of demonetization cost Germany already? Has it stimulated her industries, the only stay and support of modern nations? Has it increased her wealth by a corresponding increase of an industrious and contented population? On the contrary, the German people have, since silver demonetization, been fleeing from their native country in such increasing numbers as history never recorded before. Statistics assure us that the total emigration from Germany to other countries, and chiefly to our own, from 1873 to 1889, amounted to 1,546,000 persons. The forbidding statistics of illegitimacy and suicide, only serve to confirm this startling testimony of this popular distress and despair wrought by the same cause—a diminishing volume of money, low prices, unemployed and insufficiently employed labor, burdensome taxes, and decaying enterprise. Germany, of course, does not possess those recuperative natural resources for a disheartened people which

our matchless country can boast, but in any comparative view of the case we are not to forget that monometallism works the same destroying effects everywhere, and that the rich resources that still remain to us are the very things coveted and aimed for by this voracious appetite of the foreign creditor class, the aristocracy of the world's tyranny, and the last enemy that honest industry is summoned to confront.

And here we see the effects abroad so far of this blind adherence to gold as the only "honest money," as the true "standard money" of the world. Why is not silver money equally "honest money"? By whose decree has it come to pass, after thousands of years of use as money by the side of gold, and the larger portion by far of that long period the accepted "standard money," that silver shall be deposed from its high rank and take a lower place among the commodities of life instead of continuing to measure their value? The question seriously arises, is it within the power, much less the right, of any legislation whatever to set aside with a tyrannic absolutism, to annul and destroy the function of one of the two recognized precious metals which the world has by tradition and custom together accepted as being one of the most potent factors in its progressive civilization? We reluct at a proposition that contains arbitrary elements inviting such violent hostility.

They will tell us that silver cannot be "honest money" and "sound money" because it is no longer par with gold. The charge is only nominal. It would be said with stricter truth that gold has appreciated, and is at a premium, than that silver has depreciated. That obviously is because gold alone is recognized as money, because its annual production is steadily diminishing, and because of the increasing competition among civilized nations to obtain possession of it. Are not these reasons enough for its becoming dearer? In any attempt to restore the former parity of gold and silver, too, it is to be kept in mind that as silver appreciates, gold depreciates, until the proposed monetary equilibrium is secured. There is an almost instinctive movement on the part of the two metals to come back into money relationship. If one gains, the other correspondingly

loses. The action is mutual and automatic. And it is precisely and emphatically because of this automatic interaction of the two metals as money that they are become the rulers of the world's civilization, assisting, and at the same time measuring, its progress, steadying, while stimulating, its energies, and answering the needs and solving the problems of our wonderfully diversified modern life.

Silver will in fact bring per ounce as much of the commodities as it ever did. Does that tend to prove the depreciation of its value? Its legislative value touches it only on its money side. When the legislative function presumes to meddle with and dictate to the money function, all experience tells us that it mistakenly transcends its limitations. Government is no authority for the measuring value of money; that is to be looked for in the prices of commodities; its purchasing power is its only measuring value. As well believe—as too many now believe—that the rate of interest fixes the value of money, as that it is or can be fixed by legislation. True, legislation may withdraw its measuring power—though under our form of government such legislation is clearly beyond Constitutional authority—but silver still retains its historic place as a medium of exchange, and it will retain its place equally with gold to the end. Both alike are the money of the world and the twin supports of advancing civilization—and such they are likely to be so long as our planet is populated.

So to say that silver is no longer "honest money" equally with gold, simply because it has come under the ban of legislative conspiracy, accomplishing its selfish ends by surreptitious methods, and at a time when neither of the two metals was in use, is to utter a monetary falsehood, for which no sincerely honest excuse can be framed or conceived. There is really no such fiction as a seventy-eight or a seventy-two cent dollar when a silver dollar will buy what it always would, or an ounce of silver will buy as much as it ever would of needed commodities. Why not say that a gold dollar—which nobody ever sees, and so therefore made the "standard" dollar—is worth $1.22 or $1.28? But that is not the fashion of the argument with the creditor

dynasty. They do not care to pull the wool over that eye, but over the other.

Instead of persisting in the assertion that one metal used as money has depreciated and that the other remains unchanged, and that the former metal, therefore, can no longer be sound and honest money, the true and only way of forming a correct judgment is to compare both metals alike with commodities in general, and thus discover the relations of the metals, not to one another, but to all other things that are needed and purchasable. And the discovery will not fail to be this: that gold and silver have both appreciated, the latter in comparatively small measure, and the former immensely and ruinously. The reason for this great change in the relation of the two metals is obviously that one of them, silver, has by mistaken and mischievous legislation been deprived of its legal tender function. But for the limited coinage subsequently allowed to silver, the difference in their relation would have been vastly greater than it is.

Silver has lost none of its purchasing power in consequence of hostile legislation. Four hundred and twelve and one half grains of silver (uncoined) will buy as much of the articles that are daily consumed by the people as 412½ grains of silver would buy in 1873, when silver bore a premium of three per cent over gold. Can it be said, then, that it has fallen in value? It is the price of commodities, not arbitrary and artificial legislation, that fixes its value. Silver has not fallen relatively to wheat, cotton, corn, and other commodities. In point of fact, it has fallen relatively to nothing but gold; and that is only a delusive fiction, which really means that gold has become dearer, in other words, that prices have declined—showing conclusively that gold is by no means of that fixed and unchangeable value which the interested creditor dynasty would have us think.

And if gold, equally with silver, rises and falls, appreciates and depreciates, why is it any more "sound" and "honest" money than is silver? How long ago was it that the proposition was made to demonetize gold instead of silver? Germany at one time seriously considered it. We of the United States were

likewise talking of it. The supply of the yellow metal was then $200,000,000 yearly; now it has droppeed to $124,000,000. And with gold alone as legal tender money for all amounts, with the annual supply diminishing, and other nations competing eagerly for it, how long will it be before falling prices will drag down all profits with them, and all further enterprise terminate in a universal panic that will precipitate industrial chaos and social confusion?

THE ENORMOUS LOSS FROM THE DEMONETIZATION OF SILVER.

It is important above all things to understand what an enormous loss of wealth has been suffered by the country in consequence of the demonetization of silver. Few people have any idea of the extent of the actual robbery deliberately committed. The accepted estimate is that the silver miners themselves submitted to a loss of $8,000,000 a year. How does the case stand with the cotton grower, and the wheat raiser? Let us look and see.

When silver was demonetized in 1873, cotton brought 16.4 cents per pound. Seventeen years later, when silver had not equal purchasing power with gold as it had prior to 1873, cotton brought 9.9 cents per pound. But for demonetization the price would have been the same in 1889 that it was in 1873. The yield of 1889 was 3,500,000,000 pounds, which at the price of 1873 (16.4 cents) would have brought $574,000,000. But inasmuch as the price was only 9.9 cents per pound, it brought only $345,500,000, a clear loss in the single year of 1889 of $227,500,000, caused entirely by the continuous fall in prices in consequence of the demonetization of silver.

The average price of cotton for each of these seventeen years—1873 to 1889 inclusive—was 13.1 cents per pound. The average yield for each of the seventeen years was 5,000,000 bales, of 500 pounds each, or 2,500,000,000 per year. At the price of 1873 (16.4 cents) when silver and gold had equal purchasing power, the receipts from the sale of cotton each year would have amounted to $410,000,000. But at the average price above given (13.1 cents) the receipts each year were only $327,000,000. Here is a clear loss of $83,000,000 each year on the cotton pro-

duct, amounting to $1,410,000,000 for the seventeen years. This vast sum represents just so much loss in the power to pay debts and taxes, suffered by the cotton planters of the country, because of the demonetization of silver.

What have the silver miners lost in comparison? At an average loss of $8,080,544 each year, which represents, according to the report of the director of the mint, the annual difference between the commercial and the coinage value of silver during eleven years of that period, the total loss to the silver miners of the whole United States for the seventeen years ending with 1889 was $129,287,000. Large as such a total is, what is it in comparison with the total loss of nearly a thousand five hundred millions, suffered by the cotton planters of the country alone, in consequence of the fall of prices from the demonetization of silver?

Look now at the case of the producers of wheat. What did they lose in their power to pay debts and taxes? Relying for the figures on the Bureau of Statistics, and computing average yields and prices in the same manner, it appears that the wheat growing farmers of the North and West lost in debt-paying and tax-paying power during the same period not less than $100,000,000 a year, in consequence of the demonetization of silver. That amounted for the seventeen years in question to $1,700,000,000—or almost one-quarter more than the loss to the cotton planters. Altogether it was a needless, wasteful, wicked loss to these two agricultural interests alone of over $3,000,000,000 in debt-paying and tax-paying power. How insignificant appears the loss of but $129,287,220 to the silver miners of the whole country for the same period in comparison! Yet the taunt is kept up that the restoration of silver to its place beside gold is demanded chiefly or wholly by the mine owners and the "silver states," and therefore for purely selfish reasons.

Who, then, does profit by this most unreasonable as well as unprofitable state of things? Unless some one class of men does secure an advantage from it, and an enormous advantage, there clearly can be no conceivable motive that was adequate to bring it about, and far less to continue it longer.

It is the class that, through their machinery of money-lending and security-dealing agents, a dependent press, and blind and blundering legislation, cry out continually for "good money," "sound money," "honest money," and "the best money," all which phrases only mean the *dearest money*, the money that wrings more toil and sweat from labor to obtain it, and makes it all the while harder to obtain the necessaries of life even at falling prices.

This "sound," "honest," and "best" money, too, is all the time growing dearer and dearer; that is, it is worth more in comparison with the commodities it will buy, and even yields a diminishing interest on the highest class of securities. Because of its dearness, the men of enterprise and energy are forced to defer the development of their industrial projects, and therefore to decline the employment of labor. Now if gold alone is indeed the best money and the only honest money, what is the reason of its changing value as a measurer, becoming dearer and dearer? It ought to be true that the "best" money is that which is subject to the least possible change in its value, and consequently could always be depended on to be worth neither more nor less to the enterprising borrower and user of it when he came to the end of a contract than when he started to begin it. That is the one shining virtue of money, and none can be either "good" or "honest" that does not possess to the utmost this universally desired quality of stability in value. This so-called "best money" is, in the estimation of the creditor class, the dearest money, the hardest to be got by the farmer, the mechanic, and the laborer. Calling it by these sounding names which appeal to the inherent sincerity and instinctive honesty of the masses, is expressly for the purpose of glazing selfish motives with fair description. Why not say at once frankly that honest money is dear money, and that the dearer it is the more honest it is also?

Now let us briefly contemplate the enormous estimated loss from enforced idleness in consequence of thus restricting the volume of money in the face of a rapidly increasing population and the progressive development of the country. The census of

idleness in a great and growing country, possessing the immeasurable resources and boundless possibilities of the United States, is an appalling statement to consider. The investigation of the Massachusetts Bureau of Labor showed that in the year 1887, in this one state, 816,470 persons were engaged in wage-earning labor. Of this whole number nearly thirty per cent or 241,589 persons were idle from one month to six months or more in the year. The average idle period was about four months, or one third of the year. That is equivalent to the idleness of one third of over 240,000 persons for the whole year, which means 80,000 persons in this one state without employment at all for the year. The number reckoned in the ranks of labor in the state being 816,470, it thus appears that fully one tenth of the people engaged in all occupations within the state were in unemployed idleness.

Carry out this carefully prepared statement so as to give it application to the whole country. According to the Census Report of 1880, the number of persons in the whole country engaged in all occupations was 17,392,099, out of a population of 50,155,783, or 34.68 of the entire population. Our population in 1890 was not less than 65,000,000, and according to the same percentage our working population in that year was 22,254,000 in number. Then if we allow that ten per cent of the people, as ascertained in Massachusetts, are all the time unemployed, there were in that year fully two and one-quarter millions of persons in compulsory idleness in the country. Well may this vast number of the unemployed be styled an army, as they are frequently called. What a terrible army of idlers, surely, vainly seeking work for the support of themselves and their families!

But why are such a number of persons unable to obtain employment in a favored country like ours? No reason can be given that furnishes a fit response, but that our money system has been grossly tampered with at the instigation, and with the active connivance of, our foreign creditors, for the sole and selfish purpose of increasing the value of our securities by them. They have done it at the expense of our industrious labor, and

of the value of all our products and property. This is only robbing us with deliberate intent.

Now if it be allowed that the average daily wage for a working man is two dollars—and it certainly would not be less if money and industry were rightly related, and employers were as eager to secure labor as labor is to secure employment—each workman would be in the receipt of at least fifty dollars monthly, which cannot be considered more than sufficient for the support of any decent family in this country. Multiplying the 2,250,000 involuntary idlers by the $2 daily wage and here is a clear loss of $4,500,000 every day to wage earners in consequence of the failure of labor to find employment. Or it amounts to $27,000,000 every week, or $117,000,000 every month, or the astounding total of $1,404,000,000 in a year! The figures express a fact that almost seems incredible. How long would it take to pay the entire national debt with the saving of this vast amount? Not over one year and a quarter! Multiply this stupendous loss for a single year from unemployed labor by the seventeen years constituting the period under special investigation, and it will have to be admitted with not less overwhelming sorrow than astonishment, that all other losses together which the country has sustained are not to be compared to this.

Is it in the least surprising that labor troubles are rife and revolutionary in the face of a situation so alarming and so unrelieved by any compensating facts as this is? What are all other political and party issues in comparison with the overmastering one evolved from a wantonly wasteful, destroying condition like this? Cannot tariff taxation, civil service, and the rest of what at most are but superficial questions, wait upon this far larger, broader, deeper, more vital and urgent question than them all? We lament, and rightly, the loss of a million of men to industry by the ravages of war; but here we plainly see that the deprivation of a rapidly increasing population of a sufficient volume of money to answer their needs entails a loss of more than twice that number by their enforced withdrawal from industrial occupations.

Are these immense losses to continue? Is this needless waste



to go on? Are a comparatively few men, who constitute the creditor class, and their non-productive agents and attorneys who deal only in securities and money, to be always allowed to discourage capital in its quest of enterprises that are productive, and deny employment to labor, that they may themselves grow rich, while the people are in consequence growing poor?

GEORGE CANNING HILL.

A PERMANENT SOLUTION OF THE CHINESE QUESTION.

BY KURT VON STAUFEN.

CONGRESS will shortly be confronted with the unsatisfactory state of the Chinese question, for the solution of which it passed during last year's session an act to prohibit the coming of Chinese into the United States. The failure of Congress to make adequate provision for the necessary funds to enable the administration to carry out said act's provisions, has made the law practically inoperative—for the time being at least. As the Supreme Court has decided its constitutionality, it seems all that is left to do is to provide funds for its enforcement; but at this same time an excellent opportunity is offered to amend or remodel the law, so as to make its final result a present possibility and not a matter of future speculation. I shall endeavor to prove, by reasons based on sociology, as well as national economy, in general, why such a proceeding is advisable and even necessary; it will then also become manifest why the great majority of Chinese, after having refused to avail themselves of the registration proviso, should be deported as soon as ample funds are created for this purpose, and why the rest should be disposed of in the manner indicated later on.

It appears that persistent and strenuous efforts are being made throughout the country to induce Congress so to change the Chinese Exclusion act as to make its final aim abortive. It is claimed that the act in question throws a very bad light on the honor of the people of the United States, as it would tend to prove to the world at large that the American Union has no respect whatever for reciprocal treaty rights; that its enforcement would cripple American enterprise in China, commercially and otherwise; and that the substitution of American for Chinese labor in certain parts of this country would destroy

many flourishing industries which have been built up with the help of coolies and which can be maintained only through their coöperation; and that the development of the country and its resources absolutely demand their employment, as the home supply is neither sufficient nor willing to perform the work to be done.

It will be seen, therefore, that the Chinese difficulty is by no means adjusted. When the Geary law was enacted, the greater part of the citizens of the Pacific Coast States felt much relieved, for they thought that their troubles in this respect were nearing an end—but they find that they are likely to be mistaken. It has been averred that the Geary law was a political deal or quasi compromise, as more drastic legislative measures had originally been intended. However that may be, it is doubtless a temporary compromise made to the country at large, which looks at the Chinese muddle in a very indifferent and prejudiced spirit. East of the Rocky Mountains the whole matter has been and is but vaguely understood, especially so on the part of the well educated and intelligent classes; and that is not to be wondered at, for they have had no real experience with the Chinese. It is high time to discuss the problem critically in its principal phases and bearings, and I shall try to give the reader a concise but complete view of it. I wish to add, that the observations concerning this matter are the result of personal investigation and research in the United States and also in Oriental countries.

The Chinese have not come to America on account of previous knowledge of the country. The first that arrived required a good deal of persuasion and coaxing before they consented to leave, contract bound, their native home, for the authorities in China discountenance emigration of any of their people, as they know well the treatment and dire fate of the coolies, that were instrumental in building the Panama Railroad. The Chinese were introduced at a time, when labor was high and workers few in California; when the development of the natural resources of the state and, later on, the building of railroads became an imperative necessity. The American government did not in-

terfere, but at the same time it did not encourage this class of immigrants. In the course of time regular communication was established between the Western Coast and China, whereby the influx of Mongolians was facilitated, and once in this country they were not slow in seizing their opportunities and improving their condition. In the mining camps, for instance, where women were scarce, the Chinese got to do the washing, hence originated that familiar institution, the Chinese laundry. So thoroughly did they monopolize this field of labor, that up to this date not even the best equipped American steam laundries have driven them out of it, but on the contrary the competition has generally ended in the employment of Chinese.

Tenement-made clothing in New York finds its exact counterpart in the article made by Chinese on the Pacific Coast, principally in San Francisco and Portland. The same holds true of the manufacture of shoes, and more so of cigars. Indeed, the Chinaman is ever present and all pervading on the Pacific Coast as domestic or laborer, as gardener or trader. Eastern people will perhaps be surprised to learn that the canning of salmon is almost entirely done by Chinese, who perform this work under contract.

It cannot be denied that the Chinaman is industrious and wonderfully patient, that he does not strike and rarely changes place. If occasion demands it, he can be as submissive as only an Asiatic can be, submissive as negro slave never was, but most of these seemingly sterling qualities are cunningly adopted and made to serve a set purpose; for he is enabled to meet any and all competition.

The principal reason why the working classes hate the Mongolian, is the cheapness of his labor. Measured by the American standard, his manner of living is very low, requiring only an insignificant outlay of money. It is an old and true saying, that a Chinaman will prosper where a white man will starve. I do not mention this qualification as a vice, though it will be admitted that the lowering of the popular standard of living ought to be checked or prevented if possible.

The notion generally prevails in many parts of the United



States that the Chinaman in America is a much maligned being, that the bad things said of him cannot be true, as trustworthy sojourners in China have written altogether differently about the people there; nor shall I attempt to cast any shadow of doubt on the veracity of these writers; I merely say that customs and conditions that may seem proper and natural in China must appear very much out of place in America, and it is of those Chinese, living in the midst of us, that I want to write and whom I wish to put in their proper light.

Their actual number is far greater than the public is made to believe. Official American sources place it, up to this year, at 110,000. This must, therefore, form the basis for my subject as far as it deals with the numerical strength merely. But it may be well to note here one of the reasons why more Chinese are said to live here, than are officially accounted for. When the last census was being taken, the Chinese Six Companies of whom I shall speak later on, decided on giving a low number, as they did not deem it advisable, in the face of American sentiment against them, to have their full strength made public. About three fourths of all the Chinese live in the Pacific Coast States, and therefore the question is one of vital importance to that part of the country. Of the officially known 110,000 Chinese some 5,000 are *bona fide* merchants, including all the members of their families; then there are about 500 in this country for the alleged purposes of studying and traveling; 4,500 more occupy a position between the merchants and common class as actors, professionals, and artisans; 4,000 are females and the remaining 96,000 are taken from the lowest class in all China, and for that matter in all Asia. The merchants, students, and intermediates have some standing in their home country, the others, none whatever; but even the very lowest Chinese look with the utmost contempt upon our occidental civilization, and hold themselves vastly superior beings. Regarding the 4,000 females enumerated it can only be said, that perhaps 1,000 of them live in what resembles the American family life—the rest are a Chinese commodity. It will be seen in consequence that about 100,000 human beings, belonging to the scum of all China, have

to live in practical celibacy. There is hardly one in a thousand of them that knows such a thing as morality or could define its meaning. Virtue is utterly foreign to his nature and beyond his conception; he cannot therefore understand it in the American. Nevertheless, they are employed as domestics in some thousands of families on the Pacific Coast and elsewhere. The Chinaman is a remarkably discreet person in his intercourse with Americans; he does not blab, and that is one reason why he is retained as servant, but in spite of his non-committal habits it is by no means unfrequent to hear of shocking cases, where the purity and peace of families have been destroyed forever by a trusty Chinaman. The court records of probably every city that harbors Chinese in numbers, can prove this assertion. How much more of this sort does not reach publicity we cannot tell. Such a state of affairs is by no means a secret, and the people on the Pacific Coast at least must be expected to be thoroughly familiar with it.

Much more though needs to be said of these one hundred thousand human beings. They have not all come from the same part of China, nor do they speak the same tongue. They hail from the middle and southern maritime provinces. Comparatively few of them have had money enough to pay their own passage to the United States. Most of them have been brought hither by Chinese companies, and that chiefly upon gross misrepresentation of the conditions and people of this country. Before leaving, the penniless coolie has to sign a binding contract, which makes him practically a slave. When landed in America he is usually hired out to a Chinese contractor at a stated sum per month, who in his turn often sub-lets him. The money earned by him is received by his company, while he may be left a pittance for his own use. But he is content with this arrangement. Of death he is not afraid, because his company provides in that case for the usual funeral ceremonies, and later on sends his bones, properly prepared, back to China for final burial; for it is a Chinese belief that their bones must be laid to rest in China, if their spirit shall have peace in the hereafter. If this bonded slave does not die before the company that owns

him, for the time being, has realized its full share out of him, then he has an excellent chance for acquiring, in a short term of years (if he can refrain from gambling, which is the very weak spot in his make-up), enough money to return to China and prey on such as he was before he shipped for America. Thus it is, that more than three fifths of these 100,000 coolies are owned by six companies, corresponding to the six provinces whence they originally came.

These companies have their American headquarters in San Francisco, where they form a sort of combine and whence they direct the affairs of the coolies subject to them, though they be scattered all over the country. Their power is supreme and no Chinaman ever rebels against the mandates of his company; he would be an outcast, whose body would lie after death in American soil, a fate that appears worse to any of them than a manifold death; besides he would never appeal to Americans, as he holds them in supercilious contempt, and wants but to use their needs and failings to benefit thereby, financially and otherwise. It must not be forgotten that the Chinese do not wish to make this country their permanent home or stay here longer than needful for acquiring a sum of money sufficient for their requirements in their home country.

Aside from the just mentioned companies, there exist secret societies similar in character and purpose to the average American secret order. Remarkable among them are the so-called Highbinders; they are said to be doing much good in their way; but rival societies are very apt to become embroiled in feuds which sometimes end in serious bloodshed. Indeed, it is not unusual to read in a San Francisco, Portland, or Los Angeles paper, that the Highbinders are at war again, and it would be well for white people to keep away from such and such a neighborhood, as stray bullets might there be encountered.

The number of Chinese in the United States has increased in spite of all the restrictive laws, a fact which becomes manifest when it is considered that about 1,900 of them die annually in this country, and that more than twice this number return to China, there to stay. Their places are filled by others that are

brought hither mostly by the Six Companies, and are smuggled into this country with the active aid of white people. All along the Canadian boundary line as well as along the Mexican frontier is this living contraband disposed of. The Canadian steamship line to China has had hitherto a never-failing source of income from its Chinese passenger traffic. The government there also participates in the profit derived therefrom, as it imposes a head-tax of $50 for each Mongolian; but he does not stay in British Columbia when there is a way out of it. Neither Canada nor its transportation companies can be held to account for such a state of affairs, though the registration clause as laid down in the Geary law is intended to stop this contraband traffic. But I do not share in this belief, for it would have been comparatively easy to provide registration certificates as well as photographs for any desired number of coolies—on account of their amazing resemblance to each other.

The resemblance of so many Chinese to each other is cunningly taken advantage of by the wily celestial in circumventing American justice. Whenever a wealthy or prominent Chinaman is arrested for a crime punishable by imprisonment, his first care is to be admitted to bail. His Caucasian friend, the willing lawyer, manages that part for him. He may be at the trial in person or not, that depending on circumstances; but it is certain that he neither goes to jail nor to the penitentiary if he is adjudged guilty, but sends a paid coolie substitute. These proclivities are well known in interested juristical circles, and it is a current and entirely reasonable belief, that at least one fifth of all the Chinese incarcerated in the Pacific Coast States are but substitutes for the real criminals. The Chinese neither recognize nor respect American laws, and generally manage to dodge them most skillfully, an undertaking in which they are ably assisted by a multitude of American lawyers, whose income is principally derived from this source. For justice and police courts and the officials connected therewith, the Chinese form a never-failing source of revenue.

Notwithstanding all alleged cheapness of Chinese labor, I maintain that that is a great economical error, and in many respects

a national calamity, to employ it in horticulture and kindred branches as is usually done on the Pacific Coast. The system may be satisfactory to the large landholders, but is against the very best interests of the state, as it impedes the further development of its resources and keeps away a sturdy yeomanry, on which it must depend for its future growth.

A second and very cogent reason why Chinese labor should not be employed any more in any field of manual labor, finds its justification in the fact that manual labor, as such becomes despised and is thought unworthy of an American. This phase of the question is full of danger, and should not be passed over lightly in determining upon a remedy for the evils now existing. I admit, that for the time being it would work a hardship upon horticulturists and others, were they deprived of their Chinese employes, but it is beyond doubt that this evil would be more than counterbalanced in a very short time by increased activity in all callings and industries. It is, at best, a short-sighted policy to employ Chinese, as it eventually harms and weakens the community, even in common economical matters. It must not be overlooked that it is the absolute duty of organized society to protect those who have assimilated with it and are members of it, and not to favor those who can never be as one with it, and do not wish to become so. But this can only be effected by proper legislative action, for public sentiment alone is insufficient to overcome human selfishness.

Religious sentiment has been another factor in favor of the retention of the Chinese in America. But never was lofty and noble idea more misplaced than in their case. I am well aware that about three per cent of the Chinese in the United States profess Christianity ; but my knowledge of them, wherein I am corroborated by facts and occurrences familiar to the public, makes me doubt their conversion. I do not question the zeal nor sincerity of those who maintain and direct Christian missions for the Chinaman. But this particular being cares naught for Christianity ; he is not able, by his very nature, to understand its ethic principles. If he professes it, he nearly always does so from selfish calculations of one kind or another. Have

the good people in the East forgotten the scandalous revelations that were published, regarding New York City's Chinese Sunday schools and their picnics, where the celestials reveled in the society of the fair American teachers? To reform and Christianize a coolie in the United States is perhaps the most thankless and hopeless task that man ever undertook. It is a waste of money, energy and opportunity. If these three things were used in the big cities of the land, backed by good common sense, they would be productive of great good; their present use is really a crime against home and native land; for it is through the indirect and occult influence which this religious undertaking brings to bear upon public opinion, and therefore upon legislation, that relief and cure of the portentous evil have so far failed to materialize.

I have said that organized society exists primarily for the protection of its own members. It must be admitted that it is a duty of this society to eradicate anything and everything foreign to itself, that is apt to call to life the dormant criminal instinct and disintegrating spirit of some of its own members; and when this disease of the body politic has openly appeared, then measures must be taken to keep the plague from spreading, while at the same time the generating cause must be removed. If these general rules be applied to the Chinese question, their portent will be seen immediately.

It is claimed, proven and recognized, that the influence of the Chinese in the United States is of a preëminently demoralizing nature, directly and indirectly. This fact outweighs any other consideration which takes into account solely the financial side of national economy. When the moral life of the nation is being poisoned, everything must be subordinate to self-defense and self-preservation. Thereupon rests the justice of the Chinese Exclusion act and all further measures. The Geary law, even if fully enforced, would not offer an immediate nor sure solution of the problem, as the Chinese would still remain and would retain the same attitude for disseminating vice as now. The truly rational way to deal with the question is to settle it permanently, and that can only be done by the deportation of all

the Chinese that compete in any way with American labor in any form whatsoever. This deportation cannot by any means be called inhuman, when all the various phases of the problem are considered calmly. Sentiment in this case is misplaced and entirely to be dispensed with, since the weal of the nation is at stake, reason and common sense must be the only guides to achieve an end that is in accord with one's own people and civilization.

The deportation need not be a sudden one; the Chinese, aside from those that have not registered, and are therefore in this country in defiance of its laws, should certainly be given a reasonable time to realize on any investments they may have made. If they are protected from persecution or bodily injury while they are here, then this country has absolved all its obligations to them. America owes nothing to them but all to itself. The monetary loss coincident with deportation of the Chinese and subsequent temporary depression would be slight compared to the moral and real gain.

China's position in the matter need not cause any anxiety. The ruling classes there want to have as little to do with the outside world as possible. This policy they have pursued for thousands of years, and have been satisfied therewith. The much dreaded retaliation on American commerce, which is so much made of in this country, is but an empty threat, as this commerce is really quite insignificant, with the balance very much in favor of China, and unlikely ever to be materially increased, admitting even the most favorable conditions. Those that see in China an immense market for American products, simply know nothing whatever of that country and its people. It would, I am sure, be cause for regret, if American missionaries in China should in any way be disturbed in consequence of Chinese deportation, but they will have to submit to that, as they and everybody else interested in it must know, that the missionary's calling is likely to be fraught with dangers. Besides all this, when it is a matter of self-defense and self-preservation any international treaty, that stands in the way, becomes at once invalid, a fact recognized the world over. Entirely trustworthy

and reliable information from China indicates that the official circles there would not be wrought up to any great extent in case of a general Chinese expulsion from this country, as they have never looked with any special favor upon the absence of any part of their people. Moreover, they would secretly rejoice if the latter should be returned to them without any financial loss to themselves. The reasons given for such a feeling conform entirely to Chinese standards of civilization. Therefore all overt fuss of official China but conceals the effort to get the best of the bargain, for it was always cognizant of the fact that the stay of the Chinese in America could only be temporary and not permanent.

KURT VON STAUFEN.

ECONOMY OF GOOD ROADS.

BY JOHANNES H. WISBY.

IN ALL movements of progress, whatever their nature and purpose may be, we notice a tendency to overrate their comparative importance, which tendency, at the same time, is apt to make us one-sided in our view of reforms which we find no difficulty in acknowledging when they have so far advanced as to assert themselves with authority. The problems of rapid locomotion, with which we are still puzzling ourselves, form no exception to the rule. We have been paying so much attention to our telegraphs and railways that it seems as if we have nothing left for our common roads.

Europe, surely, cannot compete with us in regard to railways —although her railway engineering on the whole is performed on more elaborate plans—but taking her excellent highways into consideration we may safely say that she stands on an altogether higher stage of local development than the United States. But is the fault our own altogether? In dealing with the road movement, two things must be considered, to wit: what part of the present bad condition of the roads is attributable to the country because of its constitutional adolescence, and what is the result of bad management and individual incompetence.

We have had no thirty years' war to teach us the value of good roads, and we certainly are peaceable enough not to wish to be taught the lesson in this way. The nations of Europe have been keeping large bodies of armed men ready for battle ever since the days of Cæsar, and as good roads are a most important auxiliary in case of war, they early came to the conclusion that it would be well for them to build good roads. But if we go back to the reign of Frederick the Great of Prussia we find that he prohibited the building of good roads in his dominion.

What was strength then would be madness to-day. In those days it was the chief aim of the rulers to prevent, and as much as possible, impede hostile irruption; nowadays the point is to invade the enemy, and by quick mobilization of forces manage to carry the war into his land. The mediæval policy favored bad roads with the same end in view that compelled the modern policy of building good roads. Neither of them should be adopted, however, for both served a good end in a bad way. Roads are for the prosperity of the country; they should not be made roads to destruction and carnage. While it is the love of war that is providing good roads for Europe, the love of peace—friendly intercourse between citizens and communities—should arouse the patriotic zeal of the American nation for the same purpose and right principles. All our interests demand that it should be so. But under the present "system" there is not the slightest possibility that this will be done. People in this country, as a rule, are laboring under the delusion that it requires but little mechanical insight to build a good road, and this is not surprising if we consider the way in which our roads are commonly patched together. In the country districts the men are supposed to gather once or twice during the year at the roadmaster's notice, and if they fail to respond personally or send an able-bodied substitute, they are fined from one to two dollars a day—the notice being given at such unseemly times as during the spring or in the harvest season, when the farmer least of all can afford to give his time, he generally stays at his labor and sends his son, if he has any, as a substitute to the road call. The roadmaster having gathered his men will go to work very much like a hen on a dung hill. Suppose a road is wanted through some woodland in his section. Instantly he will point out the place and command his gang to hew down the trees required for making a passage, and—topsy-turvey—the "road" is made! He does not take the trouble to dig up roots and stumps, nor do stones the size of an oxhead vex him in the least: they serve, he claims, to make a solid roadbed, and he therefore lets them lie, not considering the trouble and annoyance they will give later on. If there happens to be a yawning

rut in one of the old roads (and this is the case very often), he simply fills it with a few pieces of timber, and shovels, as the last benediction, a little gravel on top. Topography and geology are to him but mere words. In planning a road his only technical consideration is this, to shorten the distance as much as possible by making a straight cut. Apparently he is indifferent as to whether this will necessitate the road's being bedded on strata of such poor geological substance as will render it unfit for use, or whether it must be carried over hills or mountainous elevations, or require a large number of bridges.

We have at our road department received letters from road commissioners of such uncouth orthography and incorrigibly bad grammar, that it is mild criticism to say that the worthy authors must be ignorant of the first principles of grammar schooling. It may be argued that the illiteracy of a road commissioner does not confirm the fact of his being incapable of performing his business satisfactorily, but it is nevertheless the written testimony of his comparative education, which is in close proportion to his knowledge of the art of road engineering. The present American "roadmaster" is a man entirely incapable of doing good work, and until we establish a road department (on the same plan as the agricultural department) for the technical and practical instruction of professional road engineers, we will continue to have bad roads.

It is foolishness not to pay as much attention to road making as to any other branch of civil engineering, and the best proof of the growing opinion in favor of a reform in this direction is the fact of there already being one introduced through the strenuous efforts of the originator of the road movement, Col. Albert A. Pope. Through the publication of a series of tracts and pamphlets treating on the subject of a comprehensive road exhibit at the World's Columbian Exposition, and the establishment of a road department at the city of Washington, the Colonel is addressing himself especially to the colleges of the United States in a pamphlet entitled "Road Making as a Branch of Instruction in Colleges." The title explains the nature of the contents, and it may be well here to quote from them, as a typical

reply of the many which have been received from the college presidents throughout this country, an extract of a letter from Professor N. S. Shaler, Dean Lawrence Scientific School, Harvard University, Cambridge, Mass.: ". . . We begin our teaching of highway engineering this year. Mr. William E. McClintock, an expert in road building, is to be the teacher; I am satisfied that he will give this department greatness, and whether we secure the money we are seeking or no, I shall fight to maintain the work on such basis that it will inform the youth of the university as to the importance of the work which you have in hand."

This is encouraging, and the petition for better roads which the Colonel is compiling for presentation to Congress in December, together with the increasing interest of the public on the side of a successful outcome of the agitation, will doubtless suffice to compel the authorities to take definite steps toward introducing a road system in our country.*

But even then it cannot be said that the problem is solved. The economic and social advantages derived by introducing a national road system in this country are but vaguely understood by those who are most likely to gain by it an immediate benefit, namely, the farmers.

Rendered stubborn and one-idead by the cares of road making brought upon him under the present "system," the real causes of which his isolated situation prevents him from knowing, it remains for us as professors of progress and improvement, to persuade him that a national road system is essentially in accordance with his interests, even if it, financially speaking, may not appear to be so at first. The farmer is paying an indirect road tax on wear and tear of wagons, harness, and horses, not to speak of the loss of time incurred by driving over

* At its recent session Congress passed a bill on March 3d, 1893, making appropriations for the fiscal year ending June 30, 1894, in which is incorporated the following paragraph:

"To enable the Secretary of Agriculture to make inquiries in regard to the systems of road management throughout the United States, to make investigations in regard to the best method of road making, to prepare publications on this subject suitable for distribution, and to enable him to assist the agricultural colleges and experimental stations in disseminating information on this subject, ten thousand dollars."

muddy roads, which is much higher than a direct tax of a few dollars would be. But the farmer is poor in that in which we town dwellers are rich, and *vice versa*. What would seem fair and practical to us, he may have reasons for resenting as being of little value to himself. We have money and no land, the farmer has land and no money. In cases where we resort to our pockets, he puts in sinews and muscle, and clear money in any form is as desirable and therefore indispensable to him as bodily strength is to us. Accordingly a higher road tax, be it ever so small, is not very welcome to him.

In many states Nature has done so much for the easy establishment of roads that man need do very little comparatively, and there are states that contain the rough road material, but their geological character is so poor that a great deal more work must be spent in laying the foundation of the roadbed than is required for spreading the macadam and cutting the ditches. There are states still that have a great supply of stone material and better facilities for utilizing it than other states, and some have a still greater supply than the latter but lack the means of utilization. These and similar geological anomalies combine to discourage the farmer, who as yet fails to see to what great extent they may be modified and done away with under the broad, comprehensive system that is being advocated. It will be apparent to most men that only through the establishment of a national interstate road system under the control of the government, it will be possible to fairly utilize the resources of each state for the benefit of the Union as a whole.

This is the system under which Europe manages to build and maintain her enviable roads in spite of the enormous military taxes she is paying, and is there not reason to think that prosperous, wealthy United States by adopting the same system will obtain equally good roads as her European sisters?

A national road system is strongly opposed by a certain class of farmers for several reasons. Says the Ohio farmer: Why should I pay taxes for roads in Kentucky? And says the Kentuckian: Why should I pay taxes for Ohio roads? It smacks of log-rolling, they both agree. The Ohio man finds he can get

along with less expensive roads than those the government is building for him, and the Kentuckian thinks he ought to pay less taxes because he does not wear his roads so much as the Ohio man.

The same objections were raised in the different provinces in the countries of Europe when the governments began to build the roads, and the same objections would probably be made by our counties if each state were to have entire control of its roads. But when the government undertakes to build and maintain our public roads, if we pay the necessary amount of taxes, the matter ceases to be a local institution and becomes a national enterprise, and there can therefore be no question as to whether one state ought to be taxed heavier than another. It would be like charging railway passengers extra for each pound of their weight beyond a certain average, and allow a discount to those who would be content to ride on top of the cars. Systematic workmanship requires systematic procedure, and this can only be effectively maintained by the government taking the lead in the road movement.

I do not purport here to enter into a discussion, as to the relative merits of the Telford or the Macadam systems, but it may not be amiss to point out a few elementary rules which it is of common interest to know, and which are followed by all scientific road makers.

In constructing a highway, care should be taken that the soil over which it will pass is sufficiently firm to bear the roadbed without yielding, and that the latter is thoroughly drained before receiving the macadam. The macadam may be hand-broken and of the best quality, and spread pyramid-like, with the square side against the bed, if the latter yields but a few inches the repair thus caused will be a great deal more expensive in the end than a thorough draining of the bed at the start would be. To build a good road on a swampy bed would be like erecting a house on sand. In spreading the macadam a greater depth should be allowed over hills of a high grade of elevation, at any rate in the middle of the road, because the teams will invariably seek the center where the ascent is easier, and where,

at the same time, the horses stamp most heavily. The width of the macadam layer may vary according to the amount of traffic, but it should always be large enough to allow three vehicles abreast at a time. A country road should not be more than thirty feet and not less than twenty feet wide. Angular stone fragments of about two inches in diameter, the largest of which can pass through a three inch ring, should be used for macadam material as well as for screening, and in order to make the road in proper water-shedding condition the transverse section of the surface should be elliptical. Shade trees may be planted on either side, but on the south and the west sides they should be farther apart so as to allow the sun to penetrate and dry the road after it has been exposed to the rain. Between the trees, at long intervals, are the storing places for the stones used for screening; and to avoid their absorbing dust and mud, the piles should be made in the shape of an oblong prism. On either side of the trees are the ditches, and where expense does not forbid, they should be sown with grass. A thorough rolling finishes the road.

The next thing which must be taken into effective consideration is the grading of the road. It is not advisable to allow more than one in twelve for the steepest grade on a public highway, and the extent of such an elevation should not be less than one hundred feet. Steeper grades are sometimes necessary, but they should be avoided as much as possible on much frequented roads, and the length of the elevated section must then be extended to suit the grade, thus, one in fifteen grade requires two hundred feet length of elevation, one in twenty, four hundred feet, etc.

A perfectly level highway is almost as bad as a very hilly one. "The golden middle-way," a billowy, undulating stretch of well-rolled macadam makes the best road. A dead level means a stagnant sheet of surface water, and a round high way, besides being especially inconvenient for travel, wears badly, because the wagons will follow in the same track, thus making a depression in the center that will hold the water and keep it from reaching the ditches.

The cost of building a modern macadam road varies from a thousand to ten thousand dollars per mile, and the necessary repair each year amounts to about ten dollars per mile. There are instances, however, where a macadam road has lasted a number of years without any additional maintenance save being scraped and screened at intervals.

According to Engineer Henry Irving's estimate the economical advantages of good roads are simply astonishing. He says: "From the above it appears that a horse can draw on a common macadamized road more than twice as much, and on a good solid Telford-macadam road more than three times as much, as he could on a gravel road. Therefore, a farmer who might send produce into market for two hundred (200) days in the year, using a pair of horses to draw a load of about a ton on a poor gravel road, could, if the road were well macadamized dispense with one of the horses. Supposing the horse costs him forty (40) cents per day, including interest on first cost, he would save on this single item eighty ($80) dollars per annum."* Taking all these things into consideration, it may safely be predicted that vigorous effort will be made before long to secure good roads for the American public. Besides increasing the value of country property they will prove instrumental in reducing the city slums, induce the young people to stay in the country, and the city people to venture out on healthy rural excursions. An eminent philosopher once said: "Where there are good roads connecting the cities with the towns, the towns with the villages, and the villages with the farms, it is a sure sign of good government, peaceful industry and of the enlightenment and happiness of the people."

JOHANNES H. WISBY.

* "Road Making and Maintenance," p. 51.

HAS CONGRESS A CONSTITUTIONAL POWER TO DEMONETIZE SILVER?

BY JAMES S. FISHER.

ANY word of praise or commendation of the Constitution of the United States, by an American citizen, would seem like an act of egotism. That instrument, with its co-ordinate but independent departments of government, with its grants and limitations of power, and with its checks and barriers, is the most remarkable instrument ever committed to paper. Mr. Gladstone, the present Prime Minister of Great Britain, and probably the greatest stateman and most remarkable man ever produced by England in any age, and who now holds the stage with the nations for an audience, in an heroic effort to apply the principles of that instrument, so far as applicable to the affairs of Great Britain, said: "It is the most wonderful work ever struck off at a given time, by the brain and purpose of man." Washington wrote: "It is provided with more checks and barriers against the introduction of tyranny, than any other government hitherto instituted among mortals."

Such is the charter of our liberties and how proud should every American citizen be of his citizenship, and how jealous should he be that all its provisions are strictly, honestly, and faithfully carried out and enforced in all the affairs of the government. A brief review of the events which led up to its formation and adoption, may not only be interesting but profitable.

When, on the fourth day of July, A. D. 1776, the Continental Congress, in Philadelphia assembled, declared that the thirteen colonies "are and of right ought to be free and independent states," there instantly stepped forth upon the stage of action thirteen separate, free, and independent nations, each endowed

with "full power to levy war, conclude peace, contract alliances, establish commerce and do all other acts and things which independent states may of right do." They were bound together by no ties or obligations stronger than those of a common kindred, common laws, and a common destiny. They were engaged in a life and death struggle for their common liberties against a common enemy. The statesmanship of those patriots and heroes was not long in determining that they must unite for a common defense.

On July 9, 1778, they entered into "Articles of Confederation," the first Article of which declared "That the Style of this Confederacy shall be the United States of America." In the second Article, as though fearful that in the struggle to maintain their liberties against a common enemy they should inadvertently lose them among themselves, they cautiously and guardedly declare that "Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress assembled." A further consideration of that compact, in so far as it relates to the coinage of money, will answer our present purpose.

With thirteen independent states, each authorized to coin money and regulate its value among its own citizens only, with armies to organize, equip, and maintain in the field, with a large and sparsely populated territory to defend against one of the most wealthy, warlike, and powerful nations in the world, an early and careful attention to the establishing of a monetary system for the country, became a matter of first importance. Their coin should be uniform and pass current in every state. To this end they declared in their Articles of Confederation among other things, that "the United States in Congress assembled also shall have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states. That left the several states, with full power to coin money and make it a tender in payment of debts subject only to the power of the United States in Congress assembled, of "regulating the alloy and value of the coin" struck

by them. Thus stood the relative power of the several states and the United States, in regard to coining money, until the adoption of the Constitution of the United States in 1787.

On the 25th day of May of that year the Constitutional Convention, representing four millions of people, met in Philadelphia to choose a government for themselves. On the work of the delegates to that convention hung the fate of free governments. Among the heroes, patriots, and statesmen of that band were Franklin, a man of great practical wisdom, Robert Morris, the greatest financier of his time; Hamilton, Livingstone, and Madison, men profoundly learned in the English law, and who had made the application of the universal principals of truth and justice to the needs of a few people, the study of their lives. Among them, too, were Jay and Patrick Henry, and John Adams, with George Washington in the chair, all men of whom the Earl of Chatham declared in Parliament that no body of men ever surpassed them "in solidity of reasoning, force of sagacity and wisdom of conclusion."

They deliberated four months, and when they had finished their work, they had laid the foundation for the greatest, most prosperous and happy nation on earth, and the only government "of the people, by the people, and for the people," among men. They laid the foundation broad and deep, and if the structure ever topples over it will be on account of the poverty and consequent indifference of the masses; and it might be well for those men whose wealth of millions consists of interests paid on evidences of indebtedness held against the labor and production of the country, and for which labor never received any consideration, those interests drawn from the profits of labor, to the impoverishment of the laborer, to ask themselves candidly, whether if the masses of the American people are compelled to choose between losing their liberties and anarchy, they will ever become slaves.

The Constitution had changed the powers of Congress from those held under the Articles of Confederation but little on the money question. The power was expressed like all other powers in that instrument, in short, clear, concise, and un-

mistakable language. It was simply "The Congress shall have power to coin money, regulate the value thereof, and of foreign coin." It was a bare power, coupled with no interest, and without discretion. Mining for gold and silver is as legitimate business as raising wheat and corn. In both occupations there may at times be a surplus, or there may be a deficiency. If a surplus, in either it takes less labor; if a deficiency, more, to obtain a necessary supply. But Congress has not proposed to limit the supply of bread to the people, and why should it attempt to limit the supply of the money which buys bread so long as it has a substantial basis? The right to do one under the Constitution is just as apparent as the right to do the other. It would test the skill of the most expert casuist to discover the least suggestion of a power in any clause of the Constitution, granting to Congress the power to do either. Congress can raise no question of expediency, no question of national policy, no question whether we shall have a bimetallic currency or a gold basis currency. In pursuance of this power, Congress provided a mint and made laws for its government. It provided for the coinage of gold, silver, and copper coins and regulated their values. It commenced work and coined gold and silver bullion into gold and silver coin for all who presented the bullion and asked for the coin.

But for the information of the general reader, reference may be had here to a rule of interpretations of the United States Constitution, given by the instrument itself. The rule is that Congress has no power except that which is expressly delegated to the United States by the Constitution, and that the respective states possess all the powers not delegated to the United States by the Constitution, nor prohibited by it to the states. An additional rule of the Federal courts is that the government of the United States can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given, or given by necessary implication, and the words of that instrument are to be taken in their natural and obvious sense, and not in a sense unreasonably restricted or enlarged.

But the Constitution made great and vital changes as to the powers of the state on the coinage of money. That power is an important one and no state will voluntarily surrender it without good and adequate consideration. For a state to abandon its right to furnish its citizens with a currency with which to carry on its business, without any security that its people should be supplied with a circulating medium in adequate volume, would be as great a subjugation of the people to a foreign power as it would be to compel the United States to secure the consent of foreign nations that we be again permitted to use silver coin as a tender in payment of debts. The Constitution declares that "no state shall coin money, emit bills of credit, or make anything but gold and silver coin a tender in the payment of debts." It strips the state of all power over the currency of the country, except to declare gold and silver coin without distinction a legal tender, but Congress must coin the money and regulate its value. In that respect the law of Congress is supreme and may establish any ratio between gold and silver, but cannot demonetize either gold or silver. Neither can Congress declare either one a tender in payment of debts; it can regulate the value of all metals coined by its authority and in the receipts and expenditures of the revenue that value obtains.

For the sake of uniformity in the appearance and value of the coins the thirteen states surrendered the power to coin money to Congress, and Congress became obligated to execute that power and did so. It coined gold and silver coin and regulated its value because no state can make any thing but gold and silver coin a tender in payment of debts. The states never would have deprived themselves of the power to coin money and then confine themselves to gold and silver coin as money unless Congress was bound by the Constitution to do the coining. They surrendered that power on condition that Congress should execute it. The framers of the Constitution were guilty of no oversight in this matter—they made no mistake, and they provided for just such a state of affairs as we have to day. If Congress refuses to coin money for the state or for the people, no state or people can be made to suffer by a tyrannical majority in Congress, for the

state may declare any foreign coin a tender in payment of debts, for the Constitution designates only "gold and silver coin." If Congress has the constitutional power to demonetize silver it may demonetize gold as well, and if it can demonetize either, it may demonetize both, and that involves the right to repeal all laws in regard to coining money and regulating its value and a discontinuance of the mint. That would stop the wheels of government and be more disastrous than to stop the post-office or navy or any other department of government. We are suffering now from one such experiment on a small scale, with a slight attempt at ameliorating its effects.

The Constitution of the United States has placed the country on a gold and silver money basis without distinction of metals, and no power of Congress can change it without a change in the Constitution. This, of course, does not refer to that other power of Congress "to borrow money on the credit of the United States" and issue evidences of indebtedness therefor. Congress may attach such qualities, privileges, and restrictions to them as it may see fit, but in contemplation of law they are all ultimately to be paid in gold and silver coin. It would probably be well if the people were educated to the idea that an evidence of debt is a badge of servitude, for Solomon has well said that "the borrower is a slave to the lender." The people of the United States have been so long accustomed to look upon Congress as the supreme lawmaking power in the land, that many have come to believe that any law passed by Congress, upon any subject, is conclusive on that subject, else Congress never would have passed it, and that any question of the power of Congress to pass such laws as it sees fit, smacks of disloyalty to the flag. But none should forget that there are many sources of danger to free institutions, most notable of which is an indifference of the people to their constitutional rights. Let any man of ordinary intelligence read carefully Section 1 of Article I. of the Constitution of the United States and then read Section 8 of the same article and point out the section, subdivision, or clause granting to Congress the power to demonetize either gold or silver coin. Congress may declare the value of a certain silver coin to be

"one dollar or unit." From what clause does it derive the power to enact, that in paying a debt between citizens of a state, the collection of which can only be enforced in a state court, five silver dollars are of the same value as a five dollar gold coin, but that six dollars in silver have no regulated value and are worthless—or from what clause does it derive the power to say that any coins struck by its authority should be a tender in payment of debts?

But Congress, in 1873, passed a law prohibiting the coinage of silver dollars and limiting their debt-paying value to sums of five dollars. That law has since been denominated "the crime of 1873," but none speak seriously of it as such, for none can believe the legislative and executive branches of our government to be anything but high-minded, honorable, and patriotic men. But the majority, as evidenced by their Representatives in Congress assembled, apparently believe it a great mistake, and the direct cause of our present financial troubles.

They believe a violation of the Constitution always results in disaster; that by that law Congress violated a compromise of the Constitution, by refusing to execute a power in behalf of the state, which the state had the right to do for itself, but surrendered that power to Congress on the implied condition that Congress should execute that power; that it invaded the constitutional right of the state in nullifying a state law, declaring silver coin a tender in payment of debts; that it depreciated and attempted to destroy silver money, which is the money of the people, while the policy of the government has always been to pay its creditors in gold coin, thereby taking "from him that hath not," and giving "to him that hath." Instead of encouraging the people to pay their debts, it has resulted in substituting an immense system of credits, placed upon the market by corporations, organized for the purpose, overshadowing the whole people and all their industries, in imitation of foreign arbitrary governments, thus creating a debt never intended to be paid, but the interest of which is intended to support classes in idleness, create and foster distinctions and castes among the people, it has left labor without employment, and over all the Wizard of Dis-

trust has waved his wand, and domestic Commerce sits with folded hands entranced. May the people of the United States never have to say to their representatives in Congress assembled

> "Oh; ye mistook, ye should have snatched his wand
> And him bind fast; without his rod reversed,
> And backward mutters of dissevering powers,
> We cannot free the lady that sits here,
> In strong fetters, fixed and motionless."

JAMES S. FISHER.

THE CONGRESS OF LAW REFORM.

BY BELVA A. LOCKWOOD.

THIS Congress held under the auspices of the World's Columbian Exposition Auxiliary was the twelfth, in the series of Congresses, that has met at the Memorial Art Palace since the Exposition opened. Much was expected of this Congress, too much, perhaps, for the occasion and the time. It was midsummer, the first session being August 9, though Chicago was reasonably cool, and the breeze from the lake rendered existence in the windy city quite tolerable. The sessions were not largely attended, there being, perhaps, not more than two hundred present at any one time; but the audiences were composed almost entirely of judges and lawyers, the brightest perhaps in the country who had come to talk and to listen, to discuss and digest the topics under consideration.

The chairman explained that the financial flurry had not only called many judges away to look after their own financial interests, but that a majority of the lawyers of the city were actively engaged in saving their clients from the wrecks of the prevailing financial disasters. The Rt. Rev. Bishop Fallows opened the Congress with prayer, and asked the Lord to bless the lawyers and judges, and thanked Him for the progress of the world.

Mr. Chas. C. Bonney, who seems to be ubiquitous, and "all things to all men," made an eloquent opening speech, and then left the Congress to run itself, which it did to its own satisfaction. Mr. Bonney said that government is the organic form of human society. Without government there could be no protection of the strong against the weak. He would perfect the civil service in every state and nation. He would improve the government of cities whether in a republic or in a kingdom, and the way to attain the best results is through the ballot. From

these Congresses is emanating a subtle influence that adds to the great growing sentiment of peace.

Henry Wade Rogers, LL. D., and President of the Northwestern University, followed Mr. Bonney in a brief but eloquent address of welcome to the Congress, which he tendered in the name of the committee. "Science," said this learned man, "is the same the world over, but the principles of jurisprudence differ with each nationality."

Wm. Dudley Foulke read the first paper, which was entitled "The Evolution of Suffrage." Mr. Foulke said: "If the history of popular government conveys any lesson to us, it is that the suffrage is in greater danger from the influence of concentrated wealth, than from any other single cause. America has attained a degree of material prosperity unknown elsewhere in the world; but the bulk of our wealth is in the hands of a comparatively small number of persons and corporations, and the attempt is not infrequently made to influence the action of the people by mercenary considerations. Concentrated financial interests spend money for legislation that will favor them."

"The spoils system has its origin in corruption, which can only be remedied by a thorough civil service reform." He cited as an example the New York post-office. "The great purpose of the civil service is to remove the corrupt methods of securing office." He quoted the words of Mr. Flannigan, of Texas, at one of the presidential nominating conventions, "What are we here for but the offices?"

Walter Q. Gresham spoke on "Municipal Administration," and talked of the devising of a law for their government that would counteract in some measure the congested condition of cities.

A learned paper from Thomas M. Cooley, on "The Admistration of Civil Justice in the United States," was read, and one from David Dudley Field, on "The Codification of American Law." Neither of these gentlemen was present.

Harvey B. Hurd, of Chicago, read a paper entitled "Legislative Restraints upon the Transmission of Property by Descent or Will." This speaker also alluded to the accumulation of wealth in the hands of the few, and said that the true policy is to keep

wealth in the hands of the people, and in the hands of as many people as possible. Mr. Hurd outlined a policy for the distribution of the property of millionaires at their death, and said that he believes Legislatures have full power to legislate on this subject.

A paper from Edmund H. Bennett, of Boston, on "The Uniformity of the Marriage and Divorce Laws," was read. The writer thinks that the age at which a marriage contract should be held binding, should be raised, and made uniform in all the states, and that it should not be below eighteen years for the woman, and twenty-one years for the man.

This session was presided over by the Hon. Lyman Trumbull, who said on taking his seat, that the Congress met under peculiar circumstances, owing to financial conditions. Whether these conditions were due to the accumulation of the wealth of the nation by a few, or to financial legislation, he could not say. He thought some of the trouble might be due to too much legislation for property, and too little for humanity, and hoped the meeting would suggest remedies.

Prof. M. Torres Compos, of Granada, Spain, commented upon as the most eminent jurist of that country, sent a paper entitled "The Administration of Civil Justice in Spain."

At the second session Prof. J. B. Moore, of New York City, presented a paper on "International Extradition." The speaker said that the Hon. L. A. Morrill introduced a bill in Congress in 1889, for the extradition of criminals from any country by general law. That the bill was adopted by the committee but never reported.

The law is based upon the principle that it does not comport with the duty of the state to afford an asylum for criminals.

For obtaining goods on false pretenses, only in the treaty with Spain and the Netherlands. Objection to the law is, that it is liable to abuse.

Fugitive or criminal is entitled to a commission of inquiry as to his probable guilt.

An extradited criminal may be tried for a crime prior to his extradition, and for which he was not delivered up.

Exceptions have been made in the case of four treaties, among which are Belgium and Luxemburg. The criminal shall not be tried until he has been allowed one month to leave the country, and then only on the consent of the government from whence extradited. Documentary evidence must be produced with the extradition papers.

"Administration of Civil Justice in Germany," by Prof. Joseph Kohler.

The judge keeps his place for life, unless he be removed by the government. All courts have several judges. Before the lower court every man may plead his own cause. Before the Auspricht the whole evidence may be dictated to the clerk of the court who remains for seven hours each day in his office.

"The Legal Status of Women in England," by Mrs. Eliza Orme, read by Mrs. Mary A. N. Ahrens, was short but interesting. The husband's rights over his wife were set forth. The wife can get only a legal separation. The husband can get a divorce and marry again, but the wife cannot.

The husband owns the children. The policy of the English law is not to interfere between a father and his children. She does not believe that the married woman's property act has had any appreciable effect. Women are mere babies with their property in the hands of trustees. Lawyers are of two classes—those practicing in the lower courts or preparing papers, are lawyers or counselors; those in the higher courts are barristers.

Mrs. Clara Foltz read a paper on "Our Public Defenders." The remedy lies in a public defender. For every public prosecutor, there should be a public defender employed by the state. It would enhance justice and patriotism.

"The Administration of Justice," by Hon. E. F. Merrick, read by M. H. Beach.

"No one but a judge of more than ordinary equanimity can listen calmly to objections to his own opinions."

"The fitness of a judge is best shown by his fairness in giving bills of exceptions, etc."

COMMENTS.

Judge Wood said he was opposed to co-education in the lower

school, but not opposed to co-education in the university. He concludes that this Congress is equal to the university. Thinks the paper on Public Defenders exaggerated. They pay in Indiana for the defense of criminals.

Chief Justice Stone of the Supreme Court of Alabama, said "All men who become judges must become lawyers first." He had been fifty years on the bench and had been blest with fine health.

The common law is poorly adapted to our present advanced civilization. We have advanced—progressed. He said he had ceased to be astonished at anything that was proclaimed. Does not wonder that they burned the witches in olden times. He much approves code pleading where the question involves common law and equity principles. Our ancestors relieved a great want when they set out action on the case. They set out four kinds of pleading. Let every man who has a right of action frame it. "We want to get back to the common sense sub-stratum. Let everything be *an action on the case.*"

A search warrant for a broad-axe is more sensible than that form of our English friends of John Doe *vs.* Richard Roe.

Judge Hudson of South Carolina said all the papers presented have been fruitful themes for discussion. When he hears a paper read upon the code, he is a code man. When he is before the judges in the South he is for the common law. Thinks Ku Klux organization started in Tennessee. It got down into South Carolina. Many persons were arrested by the United States Court, and when so arrested the great point was to prove an alibi. A Sunday school teacher was arrested; his father-in-law coached him and told him he must give an account of himself. "Where were you when Cain killed Abel?" the prosecuting attorney asked. "My wife was sick that night and I was at home," was the answer.

"An able and efficient judiciary is a most important thing. The judiciary should be independent of all political influences; and he thinks that this was contemplated in all of the early colonies, and all had the life tenure for the judges. Massachusetts has seventeen circuit judges receiving a salary of $5,000 per

year. Each judge has the services of a stenographer, paid by the state. They are retired on half pay. Judges in the South are getting $2,500 per year. This salary will not command the best talent of the land. The Appellate Court judges are being worn out by overwork. In South Carolina up to 1868, judges were elected for life."

Some interesting remarks were made by E. B. Sherman, secretary of the Congress.

A paper by the Hon. Thos. J. Semmes, of New Orleans, was given, on "The Influence of the Civil Law on the Common Law in the United States."

John Martin Vincent, of Johns Hopkins University, presented an interesting paper on "Administration of the Law in Switzerland," in which he said, "The republic has twenty-four cantons and half cantons, all subject to one central government. The people are divided into three great groups by barriers of language formed by natural boundaries. Seventy-one per cent are German, twenty-four per cent are French and five per cent are Italian.

In order to vote in Switzerland one must be a citizen and own land. So long as there was land enough no question arose. Participation in the government and in the commune depends upon getting possession of a share of the land. It is a complex, stratified citizenship. First, a citizen must be a member of a community whether he lives in it or not.

During the Middle Ages the poor were in the care of the church. A person moving into a new community was obliged to give bond that he would not be a charge on the community. He has the right to settle in a place within Swiss territory if he has a certificate of domicile. He sometimes buys the right to live in a certain community. The burgher is one who has a right of domicile. When poor one must look to the community in which he has a domicile for assistance. Suffrage is confined to the male sex. There is no question of color. Age, twenty-one years, and no educational test. Statutory disqualifications are idiocy, crime and drunkenness. Rights once obtained cannot be withdrawn except for a criminal cause.

The Federal Assembly consists of one House, the Swiss Federal Council. The prefects are elected by a popular vote. They advise rather than command. Mayors of towns, schoolmasters, etc., are elected. The judiciary, from the justice of the peace upward, are elected.

Nearly all of the officials are elected directly by the people. How far the Swiss think it advisable for the people to enter into the affairs of government can be seen by this, and by the *referendum*, the most interesting experiment in self-government. Everywhere the machinery of election is operated on the majority plan.

In Ticino the country is divided into seven cantons. Every party can present a list of candidates, but every one of them must have added to his name that of ten voters to insure his candidacy.

Neuchâtel has twenty cantons. The names of candidates must be handed in and announced publicly at the caucus. Very little complaint is heard about tampering with elections. There is no place in which the privileges of democracy have been so broad as in Switzerland. They have one legislator for about every 900 souls, while we have one for 150,000.

Next came a paper on Mexico by Don Elias Amador Zacetecas, deputy of the Cortes. The people name an elector for every 200 inhabitants. The mayors must be over twenty-five years of age, and members over twenty-one years. Deputies to the National Assembly are elected every two years, senators every four years, by a majority of the deputies; president for four years, elected by the Legislature. Executive, legislative, and judicial officers are elected by the people of the several states.

Deputies must be elected by the people. They have an annual income of $1,500, and senators have an income of $2,500. Laws of 1836 were supplanted by the laws of 1848.

Dignitaries of the church are excluded. The Senate is renewed one third at a time every three years. The place of counselor is considered honorable and is permanent. Five hundred people are necessary for one delegate.

The clergy are not permitted to fill public offices. The ques-

tion of suffrage has agitated Mexico more than any other country. Designing persons have seized upon electoral disputes to provoke discussions.

The Bourbonists are the unreasonable party in the Mexican Republic who have held the people back. The people are weary of so many revolutions. The clergy destroy patriotic sentiment in many of those under their power. The duty of every good Mexican is first to the church.

Catherine Waugh McCullough, of Chicago, read a paper on "New Granada, Venezuela, and Quito." They were united under Simon Bolivar. All persons in the state of the age of twenty-five years and possessing a modern income were voters. These votes were given *viva voce* at the election, and were written out and counted. Senators were elected, one for each province. In 1848 the Granadian Confederation was made. The area of Granada is nine times as large as Illinois. After three years of fighting the Granadian government was overthrown, and is now the United States of Columbia. Inferior judges are appointed by the superior court, the superior court by the government. In 1884 the president announced the constitution overthrown, and called from his palace a new election.

No discrimination is made with reference to voting in any case, except that of sex. There is no voting qualification. Since 1853 the voting policy of elections has been followed.

Mary E. Holmes read a paper by Don Justo Arosamena, on "Laws of Peru." The subject of women voting has never been discussed in that country.

"The Administration of Civil Justice in Germany" was given by Richard Hirsch, Departmentary Judge of the Imperial Court of Justice of Metz.

SESSION OF WEDNESDAY, AUGUST 9.

"The Development of Constitutional Law in the United States." Prof. J. B. Thayer.

"The origin and true nature of our constitutional law.

"No act of the Legislature could alter the Constitution.

"The Constitution is the commission of the Legislature.

"It is for the judiciary to declare what the law is.

"The rule began in 1811.

"There is danger in trespassing upon legislative ground.

"General Code of 1793 says, 'The violation must be plain and clear.'

"Justice Chase said he would not exercise the right of declaring an act of Congress unconstitutional unless the case were very plain.

"The validity of a law should not be questioned unless it be so repugnant to the Constitution as to leave no manner of doubt.

"In no doubtful case would he declare a legislative act unconstitutional. It should not be declared void unless nullity and invalidity are apparent beyond a reasonable doubt.

"The ultimate estimate of what is permissible must be with the judiciary. The judiciary must not step into the shoes of the lawmaker.

"Private rights are more respected in some countries that have no constitution than in our own."

A paper by Prof. M. Adamowitch, on "Administration of Civil Justice in Russia," was presented by Mr. Mack. He gave the Constitution of Russia in 1840. In 1866 the new procedure and law with reference to notaries went into effect. The law of Russia is the law of Siberia.

Prof. Michael Revon, Tokio, Japan, sent a paper on "Law of Japan," read by Prof. Mack.

"Justice there is essentially feudal."

The headmen might always be considered as a board of arbitration for the settlement of cases.

One of the brightest papers of the Congress, and one eminently practical, was sent by the Hon. Austin Abbott, of New York, on "The Delays and Uncertainties of the Administration of Justice." This was followed by a paper from Belva A. Lockwood, of Washington, D. C., on "An International Court of Arbitration."

Hon. J. H. Hudson, Chief Justice, Bennettsville, S. C., read a paper on "Trial by Jury: the Unanimity of Verdicts, and the Legitimate Influence of the Judge at Trial."

"Liberty cannot exist without trial by jury. It has a priceless value.

"Prior to 1868 an independent judiciary was not known. They were appointed by the king. The accused was not allowed the services of counsel, was not allowed to testify in his own behalf. This was why the verdict was required to be unanimous."

In South Carolina the accused can testify in his own behalf, and the judge cannot comment upon it. Tells why murderers are not convicted. Thinks it a disgrace to the civilization of South Carolina. The innocent man would consent to a two thirds majority but the guilty man would not.

"In the government a majority of electors elect the president.

"If twelve jurors must agree then the nine judges of the Supreme Court should all agree upon a judgment.

"There is an increasing want of confidence in the courts, civil and criminal. The laws weaken the courts and prevent conviction. The idea of unanimity on juries, embarrasses the judge. Unanimity encourages crime. It makes the juror afraid."

"Trial by jury seems to be growing into disuse." He thinks the jury should be composed of nine men and a majority find a verdict. In California this plan has been in effect ten years. In the Constitutions of the four new states, he has been informed that the system of unanimities is not required.

J. B. Heiskell, attorney, Tennessee, presented a paper on "The Conflict of State and Federal Decisions."

The place of Chief Justice Marshall has never been filled.

Judge Baldwin is not willing to admit that we have no commercial law, and does not agree with Heiskell.

Judge Gary agrees with Hudson about unanimity of juries.

Value of precedent takes it that no judge of an inferior court would directly overrule a decision of the Supreme Court of his own state.

Judge Spear, of the Supreme Court of Ohio, did not favor unanimity in juries.

Justice Miller opposed the unanimity.

Justice Caldwell said unanimity of juries of the East District of Arkansas was not required except in criminal cases. Does not know the origin of having twelve jurors.

The judge in the Borden case made a stronger argument for the defendant than her lawyer did. Judges in Massachusetts have a right to interpret the evidence.

Mr. Sanford, of Morris, Ill.: "We should have the same law with reference to all commercial contracts, one law for contracts, one for marriage and divorce."

The day of adherence to precedents has gone by. He thinks that we should "leave the old ox cart of precedent, and remember that the whole world is now on iron rails."

Judge Morse came to hear the old men. Does not agree that there can be no independence of the judiciary while it is elective.

Judge Bradwell spoke on "Elective Judges." Followed by Mrs. Lockwood on "Elective Judges."

Individually, Judge Hudson thinks there should be a divorce law. Divorce law in South Carolina repealed in 1878.

An English judge says unanimity is a relic of barbarism. The first juries were the witnesses.

AUGUST 10, 8 P. M.

The administration of the law in *nisi prius* courts in the Western States.

Justice Miller said that the Iowa practice was the most nearly perfect of any state in the Union.

"The petition or declaration states the case with great particularity.

"The unanimity of the jury in civil cases has outlived its usefulness.

"It is in Iowa and the West, that the bar must look for great lawyers.

"Lord Coleridge opposes juries in civil cases."

Court jokes, bawdy stories, and badgering witnesses in the West have largely passed away. Of 168 contested cases only eight were appealed and only one in eighty-four reversed.

"The Adminstration of Justice," Hon. George W. Wakefield, District Judge, Sioux City, Iowa: "Law is not an exact science, and the administration of law is far from perfect.

"The law does not execute itself.

"Napoleon earned no greater glory than the code which bears his name."

"The Administration of Justice," by Hon. W. G. Hawkins, Jr., Judge of Orphans' Court, Pittsburg, Pa., was an able paper.

Judge Demesy, late of California, gave a paper on "The Science which teaches what ought to be the law."

Clara Foltz gave an extemporaneous talk.

A paper was presented on "The French Electoral System." Formerly a Frenchman had to pay 200 francs for the privilege of suffrage. France has 7,000,000 of voters. Universal suffrage is a danger to the republic, and has been from the first. One sees the absence of any machine. The present tendency is to weaken it. At first there were primaries in every township. A candidate to be elected must have at least one half plus one of the whole number of votes, or otherwise a new election is ordered.

Under the old law of 1889, only one nominee was allowed to be in the field. The absence of organization was shown conclusively in the last election. There were no large public meetings. In it the sentimental side of the French Republic is very largely shown. Bands of young men perambulated the streets and broke up the meetings. French Republicans look to the policemen as their worst enemies. They are the archenemies of free speech.

The only political fund is the secret service fund in the hands of the minister.

The French Minister of the Interior is a national boss, beside which our bosses pale into insignificance. The Chamber of Deputies is chosen by universal suffrage. In order to have your name put into the ballot box, you must show conclusively that your name is on the poll list. At the age of twenty-one every young man must take his certificate of birth to the mayor.

The judges sit with uncovered heads, without cigars in their mouths, and every voter removes his hat. An election was once annulled because the successful candidate had given 1,000 francs for the renovation of the town hall. All irregularities or rude conduct are summarily punished.

Many other valuable papers were given, and many bright and erudite things said. Eight sessions were held in all, and at the close of the Congress there was a universal feeling of satisfaction at the result.

BELVA A. LOCKWOOD.

AMONG THE BOOKS.

Froebel, and Education by Self-Activity. By H. Courthope Bowen, M.A. 12mo, cloth, pp. 209. New York: Charles Scribners' Sons. Price, $1.00.

This is the fifth volume in the series, "The Great Educators," edited by Dr. Nicholas Murray Butler. Of all educators, Froebel stands for most to those who make child-life a study and the training of children a profession. Many before him had discussed learnedly and ably the subject of education in its theory and practice, as applied to boys and girls, young men and young women; but it remained for Froebel to point out the right plan to pursue in dealing with young children. Others had taken the intuitive age as a starting point: Froebel begins with the sensations and emotions.

This little book gives a clear and interesting, though necessarily brief, history of Froebel's early life, his school and college training, and of the different pursuits in which he engaged, until he found himself in that most important of all professions, the training of children. From the time he began his life-work proper, in 1816, when he was 34 years old, the author deals more fully with his history, describing in considerable detail his work, which was beset by many hindrances, difficulties, and discouragements, not the least among them being poverty and lack of means to carry on his work.

His theory of education as intended to be carried out in a system of public education in the kindergarten is clearly described.

The author incidentally says something interesting of other prominent pioneer educators such as Comenius, Pestalozzi, Rousseau, and Locke, which helps to throw light on Froebel and his theory, and to distinguish his work from that of the others. An appendix containing a list of Froebel's writings, and also a list of many books and papers written by others concerning his work is valuable to the student interested in this great educator.

We do not know of any other book from which one may gather a better idea of Froebel and his work in so little time and at so little expense. It will prove helpful to every mother and teacher who reads it.

The Railroad Question. By Hon. William Larrabee, late Governor of Iowa. 12mo, cloth, pp. 488. Chicago: The Schulte Publishing Co. Price, $1.50.

The high character and well known reputation of the author will create a demand for this book, aside from the fact that it contains a vast amount of information as well as sound reasoning on the railroad question. Ex-Governor Larrabee is no novice in railway matters, having been interested as promoter, stockholder, director, president, and manager of a railroad company, in addition to being obliged to familiarize himself with the different phases of the question during his career as legislator and governor.

The book opens with an interesting history of transportation, in which is described the roads and canals of Asia and Europe in ancient, mediæval and modern times. A full account is given of the early highways and canals of this country.

The advocates of the modern road movement may here find good material on which to base arguments to convince the American people of the present day of the necessity of building a system of substantial public wagon roads. He cites the fact that some of the roads built by the Romans two thousand years ago, have stood the traffic of all these years without material injury.

The history of railroads is given at length and then follows a full and able discussion of monopoly in transportation, railroad abuses, stock and bond inflation, combinations, railroads in politics, railroad literature, railroads and railroad legislation in

Iowa, the Interstate Commerce act, the rate question, and remedies for railway evils.

While the author does not declare positively in favor of governmental ownership of railroads, he argues logically and forcibly for closer supervision by the state, and makes it clear that the railroad is far from being of the nature of private property that may be controlled as the owners may see fit. Following is a sample of his clear reasoning:

"The railway partakes of two natures, that of a highway and that of a common carrier. Railroad companies therefore enjoy the privileges and assume the duties of both. The state justly exercises in behalf of such companies the right of eminent domain, *i. e.*, the right of the sovereign to apply private property to public use; but it cannot rightfully appropriate private property for private use, even if compensation were to be made for it. It is only upon the theory that railroads are highways, constructed for the public good and subject to public control, that the state has authorized railroad companies to take private property for their own use by paying for it a reasonable compensation. A railroad may even take possession of and intersect a public road for the purpose of carrying on its functions. But while the sovereign may exercise the right of eminent domain, it cannot delegate it to any individual or number of individuals, except to its agents, performing its functions and being bound to comply with any rule which may be prescribed for the public good."

He asserts that if a company is permitted by the state to operate a railroad, it should be allowed to collect only such tolls as are reasonable and just, and that what is just and reasonable should be determined by the state and not by the company. He makes the astonishing statement that the railroads of this country collect eleven hundred million dollars in transportation tax every year, which is equal to $17 a head, or $85 per family, a sum as large as all our other taxes combined. In Iowa it amounts to $22 per head, or two and a half times as much as the state, county, school, and municipal taxes combined. Such statements as these come within the comprehension of the aver-

age man and will tend to give him a new idea regarding railroad business.

This book is well worthy the perusal of every intelligent man and woman, for it deals with a subject of vital interest which demands a speedy settlement.

Currency, Finance and Banking. By Charles F. Dunbar, Professor of Political Economy in Harvard University. 309 pp. Boston: Ginn and Company.

Professor Dunbar has succeeded in compiling a very convenient and useful book. All the important acts of Congress relating to banking, coinage, issuing and collecting money from 1789 to 1891 are given either in full or at sufficient length to get their full meaning. One chapter is devoted to bills and documents that have met with the presidential veto.

While the work is one in which the author has but little chance to display his ability as a political economist, he has clearly shown that he can compile a valuable book from an immense amount of material. It is especially valuable at the present time, when every American citizen is supposed to be familiar with the money question.

THE AMERICAN JOURNAL OF POLITICS.

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SOME ELEMENTARY QUESTIONS CONCERNING MONEY.

BY GEORGE H. SMITH.

WHAT IS THE DOUBLE STANDARD?

THE theoretical question of the relative advantages of the single, and of the double, standard is materially different from the practical question as to the expediency of immediately adopting the latter in this country. For, even if it be shown that the double standard is the best, the important question will remain, as to whether we can safely adopt it without the co-operation of other countries, and also as to the manner in which the change, if deemed desirable, may be effected without injustice, and without injury to the business interests of the country. It will, therefore, be understood that what is now said is not intended as a contribution to the discussion of the latter questions, except in so far as a just apprehension of the theory of money may be conducive to their intelligent consideration; and that it is still less intended to indicate any opinion as to the expediency, or inexpediency, of the repeal of the Sherman bill.

The expression "the double standard," is a term used to denote the system of coinage which, prior to the year 1873, prevailed in the United States, and also,—except in England, and in countries where the silver standard was in use,—generally throughout the world. It is, therefore, not a mere theory, but an old and tried institution, of which, prior to the date referred to, both the theory and the practical operation were well understood. But since that time, owing to the disuse of the system in this

country, and to other reasons that need not be more particularly alluded to, the subject has become much obscured in the public mind, and is but little understood by the majority of the community.

Fortunately, this ignorance is of recent date; and we have to go back only thirty-two years to reach a period when the double standard was in force in this country, and its practical operation familiar to all. Elderly men may, therefore, easily set themselves right on this subject by recalling what they once knew; and younger men, by simply reverting to the brief and extremely simple history of the coinage system of the United States, as it existed from its establishment by the act of April 2, 1792, "Establishing a Mint and regulating the Coins of the United States," to the 12th day of February, 1873, when the act demonetizing silver was passed.

By section 9 of the act of 1792, it was provided that the gold coins to be struck off at the mint should be eagles, half-eagles, and quarter-eagles, of the value, respectively, of ten, five, and two and a half "dollars, or units;" the silver coins, "dollars, or units," half-dollars, quarter-dollars, dimes, and half-dimes; and the copper coins, cents and half-cents. The eagle was to contain 247 4-8 grains of pure gold, and the half-eagles and quarter-eagles a proportionate quantity; and the dollar, or unit, the same weight of pure silver as in "the Spanish milled dollar," or, in figures, 371 4-16 grains, thus making the weight of fifteen dollars in gold, or an eagle and a half, precisely equal to the weight of the silver dollar; and accordingly, by the 11th section, it was expressly provided that the proportional value of gold to silver in all coins should be 15 to 1.

It was further provided, by section 14, that any person might bring to the mint gold and silver bullion, to be coined free of expense, and receive in lieu thereof coins of the same species of bullion, weight for weight, of the pure gold or pure silver therein contained; and by section 16, that both the gold and silver coins thus coined should be a lawful tender in all payments whatsoever.

The system thus established was what is called the double

standard; the essential elements of which are the free coinage both of gold and silver coin, at a fixed ratio of weight, into legal tender money.

WHAT ARE THE ADVANTAGES OF THE DOUBLE STANDARD?

The practical operation of this system depends upon the operation of the principle known as Gresham's law,—a principle universally admitted; and of which it is justly observed by Mr. Leech, late director of the mint (in an article in the July number of the *North American Review*, 1893, to which we will again have occasion to refer), that it is "as certain and immutable as the law of gravitation." The law is, that where several kinds of money are in use, as a legal tender for all debts, the coin of least value will drive out of circulation the more valuable coin; and this law is not only established by universal experience, but is an obvious deduction from familiar principles of human nature. For, under the double standard, contracts are to be construed as giving to the debtor the option to pay in either coin, and he will of course pay in the coin of least value.

This operation of the law is illustrated by the history both of the French and of the English coinage systems. Under the former, where the double standard prevailed, and the ratio of gold to silver was fixed by law at fifteen and one half to one, the latter being slightly over-valued,—and consequently the silver coins of less value than the gold,—silver became the general currency in France, and remained so for a period of over seventy years. But the effect of the immense production of gold in California and in Australia was such that gold greatly depreciated; and the gold coins of France, thus becoming of less value than the silver, the latter were displaced, and gold came into general circulation. In England, about two centuries ago, under the operation of the same law, silver being undervalued by the established ratio, gold became the sole currency in actual use, and remained so until the establishment of the single standard in 1816.

And from this law another consequence of great practical importance follows, namely, that under the double standard

system, it is always in the power of the government, without difficulty or embarrassment, and without violating any rights, to make either coin the coin of general circulation. For all contracts, being for the payment of either coin, are, in effect, for the payment of the least valuable, and hence a reduction in the value of the more valuable coin will not affect the rights of creditors, provided that existing debts be made thereafter payable only in the unchanged coin. Hence, where the double standard prevails, if, at any time, it be desired by the government to change the currency in common use, all it has to do is to reduce the amount of metal in the coin of higher value until it shall be of less value than the other. Then, under the inevitable operation of Gresham's law, the latter coin will be displaced, and the former will take its place.

That this is not a mere theory, is illustrated in the history of our own legislation. Under the act of 1792, the gold coin, being only one fifteenth of the weight of the corresponding amount of silver coin, was undervalued; or, in other words, the gold was in fact more valuable than the corresponding silver coins; hence, gold was displaced, and the currency in actual use in this country up to the year 1834, was exclusively silver,—Spanish coins being generally used. But, by the act of June 28, 1834, and the subsequent act of January 18, 1837, the government, desiring to substitute, in the general circulation, gold for silver, reduced the amount of gold in the gold coins so as to make the ratio about 1 to 16 (or, in exact figures, 1 to 15.988); so that under the new system, $16, instead of $15, were coined out of the weight in gold of the silver dollar. By this arrangement, the gold became of less value than the silver dollar, and consequently, under the operation of Gresham's law, the silver coinage was displaced, and gold coin came into general use, and remained so until—under the operation of the same law—both gold and silver were displaced by greenbacks, in 1861.

Hence also follows another highly important feature of the double standard; namely, what is called its *compensatory* operation. To understand this, it is necessary to observe that the value of gold and silver, like that of other commodities, is

determined by the relation of supply and demand. But in the case of the precious metals, the principal and indeed the only considerable demand is for use as money; and it is this demand, and its relation to supply, that is alone worthy of consideration as determining their value. Hence the disuse of either metal as money by any country must be to decrease the demand, and to increase the relative supply, and thus to depreciate the value of the metal; and in the case of a country like the United States or France or Germany, such increase of effectual supply would exceed many times the total annual production of the metal. On the other hand, the use of a metal for currency by a country not previously using it, must have precisely the contrary effect—that is, the effect of increasing the demand for, and consequently the value of, the metal. Hence, it is evident that where a country at the same time discontinues the use of one metal and adopts the use of the other not previously in use, a double effect is produced: the value of the metal discontinued is depreciated, and the value of the metal adopted is, at the same time, increased.

Now this is precisely the effect produced, in a country using the double standard, whenever the metal of the more valuable coin, from any cause, becomes so depreciated as to make the coin less valuable than the other. For in such case, under the operation of Gresham's law, the newly depreciated metal will take the place of the other; and thus, on the one hand, there is immediately created a demand for the depreciated metal to the extent of the amount needed for currency by the country in question, and a corresponding increase in its value; and, on the other hand, the demand for the metal displaced is correspondingly decreased, and its value depreciated.

The operation of this principle was strikingly illustrated by the effect of the double standard of France, and the other countries of the Latin League, upon the value of gold in the period following the discovery of the Californian and Australian mines. The enormous production of gold from these mines—nearly equalling in twenty years, it is estimated, the total stock previously existing in the world—would probably, if

silver had been previously demonetized, have depreciated the value of gold to the extent of fifty per cent or more. But the actual result was different; for, under the operation of the Gresham law, gold, as soon as it became depreciated below silver, displaced the latter, and its depreciation was thus checked, and a depreciation of silver occasioned; and the general result was that the depreciation in the purchasing power of money, amounting to about twenty per cent, extended to both metals, and the relative depreciation of gold as compared with silver was reduced to a very small percentage.

Another illustration of this compensatory action may be made by considering what would have been the effect of the double standard in the United States, if the act of 1873, demonetizing silver, had not been passed.

On this point. Mr. Leech, in the article in the *North American Review*, already alluded to, says that the silver dollar was at that time "a practically obsolete coin," and that, in enacting the law, "Congress simply recognized an existing fact by dropping a coin which had formed no appreciable portion of our circulating medium for nearly half a century." But this, coming from an ex-directer of the mint, is a very strange assertion, and argues either a failure to comprehend the nature of the double standard on his part, or a confidence in the ignorance of his readers, that, I hope, will prove wholly unjustified.

It is, of course, desirable, in the practical operation of the double standard, so to regulate the ratio of value between the two metals that both may continue in circulation. But to establish such a ratio, even at a given time, is difficult, and permanently to preserve it, is impossible. For both gold and silver are constantly fluctuating in value, and hence, even if the ratio established by law should at the time correspond with the true ratio, it would not long continue to do so. Hence, the merits of the double standard do not consist in its supposed capability of securing such an unattainable object as to preserve an exact parity in value between the gold and silver coins, but in the power it gives the government of using, at its option, for general circulation, either metal, and of passing without em-

barrassment from one to the other, as circumstances may require, and in the increased stability of value resulting from its *compensatory* operation.

From the nature of things, the coin of least value will, in general, be the only one to circulate, but the other and more valuable coin, though not in actual use, is protected from depreciation; for it cannot be depreciated below the ratio established by law without displacing the other coin, and thus bringing into operation the *compensatory* action of the system. Thus, at the date of the passage of the act of 1873, the silver coins were more valuable than the gold, and this had been the case ever since the passage of the act of 1834, and on this account, and solely on this account, silver did not enter into the general circulation. Nor, if specie payments had been resumed at the date of the demonetization act, would it have done so. But, nevertheless, so long as the silver dollar, under the law, remained a legal tender coin, the double standard thus established constituted an impregnable bulwark against any permanent or considerable depreciation of silver. For, at the date of the act, it was well known that the government was about to resume specie payments, and that the double standard system of France and the Latin League would thus be reinforced by that of the United States. And it is scarcely credible that the combined influence of these two countries would not have been more than sufficient to counteract the demonetization of silver in Germany. It is therefore probable that the policy of the latter country would have been entirely counteracted, and perhaps more than counteracted, by the additional demand for silver required by the United States, and that the French ratio of $15\frac{1}{2}$ to 1 would have been maintained. And it is certain that silver could not have depreciated to the extent necessary to make the American dollar to any appreciable extent of less value than the gold; for immediately upon such depreciation, gold, and paper money based upon gold, would have been immediately displaced in the United States, and there would have arisen at once an immediate demand for an amount of silver equal to the whole currency required by the country; which would have been not much less

than a billion of dollars, or more than one fourth of the whole silver stock of the world—a demand it would not have been possible to supply without raising the value of silver above the ratio of 1 to 16.

WHAT WOULD BE THE EFFECT OF AN IMMEDIATE REMONETIZATION OF SILVER.

It is claimed by the opponents of the double standard, and the proposition cannot be denied, that the first effect of the free coinage of silver would be to depreciate the silver dollar to its bullion value, whatever that might be; and thus, unless a more rapid appreciation in the value of silver should take place than can be reasonably anticipated, the silver coins would become of less value than the corresponding gold coins, and the latter would be displaced from general circulation.

From this, unless provided against, two results would follow: the holders of silver dollars now in effect guaranteed by the government to be equal in value to gold, would be deprived of their property to the amount of the depreciation, and creditors, if paid in silver, would lose a corresponding portion of their debts; both of which results would be unjust, and perhaps even unconstitutional; for the holders of silver coin would, in effect, be deprived of property without due process of law, and the obligation of all existing contracts would be impaired. Hence, if justice is to be regarded, it would be necessary for the government in providing for free coinage (1) to provide for the redemption of all silver dollars held at the date of the act by private individuals, at their face value; and (2) to make the act prospective only in its operation, so as not to permit existing contracts to be paid with new coin. With these provisions, all the demands of justice would be satisfied and all ground removed for the severe, and, it may be said, ignorant denunciation of the double standard, by the gold press, as dishonest. The only effect of free coinage necessary to be considered is, therefore, its probable influence on the business interests of the country.

On this point, as already observed, the immediate effect of the

remonetization of silver would undoubtedly be to substitute in general circulation silver coinage for that of gold. Assuming this to be the case, two questions present themselves for consideration: first, whether this change would be permanent; and secondly, whether it would be advantageous or otherwise.

With regard to the first question, it has already been shown that the present depreciation of silver is due almost wholly to its demonetization in Europe and this country. The reasoning upon this point seems conclusive; and it may be added that the conclusion seems to be supported by the opinion of the most competent experts. "The result of the close investigations to which all aspects of the question were subjected," says Mr. Bastable, in his article on "Money" in the Encyclopedia Britannica, "was to show that the increased production of silver was only a minor element in causing its depreciation. The policy pursued by various states, viz: (1) Germany and the Scandinavian states, in adopting a single gold standard, (2) the countries composing the Latin Union, in limiting the coinage of silver, (3) the Indian government, by adopting a new method of uttering bills—proved to be the really influential cause for the decline in the value of silver as contrasted with gold." To the above causes, of course, is to be added the demonetization of silver in the United States.

The cause of the depreciation being thus identified, it would seem to follow that the remonetization of silver in the United States, followed by the Latin League and India, after making due allowance for the counteracting influence of custom and opinion, would be sufficient to replace silver in the same relation to gold as it formerly occupied; and this conclusion must be taken as assured, unless some other cause can be assigned for the depreciation of silver than the ones mentioned.

On this point, a very common opinion, sedulously encouraged by the advocates of gold, is that such a cause is to be found in the large increase in the production of silver in late years; but a very little consideration will be sufficient to show that this could hardly have had any effect. In the first place, it is to be observed, the difference in the increase of production of silver

and that of gold has been largely exaggerated. Of late years there has undoubtedly been a very considerable increase; but, taking longer periods of time, we find that in the last five hundred years the production of silver has been very little in excess of that of gold, and that in the last forty-three years, even in the United States, it has been much less; so that on the whole the production of silver has not been sufficient to be a very important factor; nor can it be predicted that it will continue indefinitely.

But independent of these considerations, there are two other well-known causes more than sufficient to counteract the greater production of silver, namely, the constant demand for silver in the East, which has existed for two thousand years, and is still not materially abated, and the use of silver in the arts. The latter alone is estimated to be from two thirds to three fourths, and the two taken together nearly four fifths, of the total production. Hence, while the total production of silver in the western world, from the discovery of America to the present time, has been in value about 1,400,000,000 pounds sterling, only about 300,000,000 pounds sterling remain in coin. *

With regard to the eastern demand, its permanence and its large increase in the future may be assumed from the fact that in India the currency *per capita* is less than four, and in China less than two dollars; whereas, in Europe, it reaches, in England eighteen, and in France forty and one half dollars; and in this country about twenty-five dollars. In view of the increasing commercial intercourse with the West, there must, in the nature of things, be a tendency in the eastern countries to correct this disparity; and though this tendency has been counteracted by the extraordinary force of custom in those countries, it cannot be long withstood. The demand, therefore, in the East must increase rather than diminish; and, perhaps, in the breaking up of the customary prices in the East, there may be discerned by the philosophic eye the first step towards the breaking down of

* My authorities for this and other statements will be found in the Encyclopedia Britannica in the article, "Silver," and in the article "Money" above cited; and in the statistical tables issued by the director of the mint.

the hitherto impregnable wall between the civilization of the East and the West.

These two demands for silver, which exist only in an inconsiderable degree with reference to gold, are far more than sufficient to overbalance the proportionate increase in the production of silver. So that we may safely assume that the increased production of silver has had little or nothing to do with its depreciation. Indeed, it is well known to all who are at all familiar with the subject, that in 1873 the increased production of silver had not commenced; and that, at the ratio of sixteen to one, silver commanded a premium over gold; and that the demonetization of silver was in fact due, not to the increased production of that metal, but to the enormous increase in the production of gold. It is therefore reasonable to anticipate that the remonetization of silver in the United States, followed by the Latin League and India, will be more than sufficient to bring silver to a premium, under the ratio of sixteen to one; and, if our anticipations in this respect are disappointed, at least it cannot be doubted that the value of silver will, by remonetization in this country, be largely appreciated. So that, if it should be deemed desirable to substitute gold for silver in general circulation, it can be very readily effected by simply reducing the amount of metal in the gold coin, as we have already explained.

But—passing to the second question—it is extremely doubtful whether this would be desirable. As we have observed, the essential characteristic of the double standard system is that it gives us the power to use either gold or silver, as circumstances may require; and among the considerations determining our choice in this respect, the most important is the relative proportion of countries in which gold or silver is used. If there is a preponderance of countries using one metal, it is obviously expedient, in order to prevent the depreciation of the other, for the country considering the question to adopt the one least in use, and thus to preserve the equilibrium. Hence, at the present time, it would seem most expedient for us, if this consideration is to be kept in view, to adopt silver rather than gold for our common circulation.

Nor in considering this question is there any special advantage to be attributed to the use of gold. The only advantage that can be claimed for it is its lesser weight; but, as it is now almost universal to use coin certificates or paper redeemable in coin instead of the coin itself, this advantage almost entirely disappears—that is to say, for small amounts, say up to fifty or a hundred dollars, the advantage exists; but for larger amounts the difference is immaterial. Indeed, in the greater weight of silver is an advantage, rendering it more secure from robbery, whether stored or in transportation.

Nor is it clear that there would be any disadvantage in our using silver for domestic exchanges. On this point Mr. Leach, in the article already cited, observes that "The paying power of our money in foreign exchanges will be depreciated to the commercial value of our silver dollar." But this opinion is based upon two very serious misapprehensions. The first is that it assumes that gold will be the money of the world. But this is the very point in issue, and is only to be determined by the battle now waging between the standards, which there is, unless mankind shall altogether lose its wit, every reason to suppose will be determined in favor of the double standard. If this be the case, only a part of the world will use the single standard of gold; namely, England, Germany, and the Scandinavian countries; and on the other hand, the double standard will be used by the United States, France, and the other countries of the Latin League, the whole of America, and the whole of the East; so that it will be more correct to say that the former countries are using a currency different from that of the world generally.

Another error assumed is that in our foreign exchanges we will be compelled to purchase silver with gold; but it is very evident that all the gold we need for foreign exchanges can be acquired from our exports, or if necessary by making our import duties payable in that metal; and hence it will not be necessary for us, to any considerable extent, to use silver to purchase gold. And even if this should be necessary, we would have this great advantage, that our silver would be greatly

appreciated from its present value, and would be constantly appreciating.

Nor is it easy to see that there would be any considerable disadvantage in thus using the silver for our domestic exchanges. That there would be some disadvantages, or rather inconveniences, must be admitted; but we have already practically exemplified, by our use of paper currency at a depreciated value for a period of fifteen years, that no considerable inconvenience would occur.

On the other hand, one great advantage would unquestionably accrue to us, namely, that our domestic business would no longer be affected by the constant and serious fluctuations in the gold market, as it now is. Thus, upon the great financial crash in the Argentine Republic, causing the failure of the Baring Brothers, the effect, as quick as the telegraph could communicate it, was felt in the remotest hamlet of this country; and the same result has followed from the financial trouble in Australia, and from the ill-advised attempt of Austria to establish a gold basis, none of which events could have affected us had we been using silver for domestic exchanges.

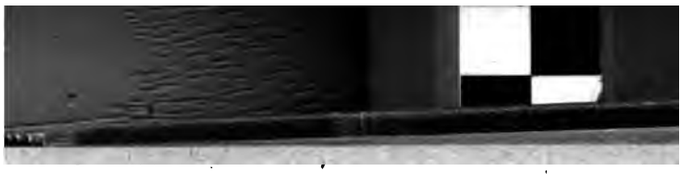
One other effect (and this brings us to the only serious question involved in the controversy), is that the general remonetization of silver would amount to an expansion of the currency, and consequent increase of prices. And it is this effect that has, as we have said, furnished the real motive of the advocates of the gold standard in their war upon silver. Hence, assuming that this effect cannot in any way be counteracted, the question arises whether it is to be considered as beneficial or otherwise, and this question also is very readily answered. With regard to the creditor class, unquestionably it would be deleterious, precisely as the contraction of the currency caused by the demonetization of silver was the occasion of profit to them; but to all the rest of mankind it would be an unmixed blessing, for there is no principle in political economy more assured than that the expansion of the currency and the gradual increase of prices thus resulting stimulate business and promote prosperity. It is easy to see the working of this princi-

ple in the history of mankind, for it cannot be doubted that the enormous decrease of currency occurring between the reign of Augustus and the fall of the Roman Empire, and afterwards down to the eighth century, must have been one of the prime factors in producing the degradation of mankind during that period; and hence, we find that immediately upon the reopening of the European mines, when affairs became settled, the progress of Europe began, and that it increased in a still more marked manner upon the opening of the American mines. Other causes doubtless contributed to these results, but one of the principal ones was undoubtedly first the decrease and then the increase in the currency.

The expansion of the currency may, indeed, be illegitimate; and in such case a reckoning must finally be had; but here the expansion will consist simply in the increase of coined metal, and no ill consequences can ensue.

Such expansion may, indeed, be more rapid than is desirable, for obviously all that is needed is a limited expansion, which will produce the same effect in kind, though less in degree, as though it were greater. Hence, it would seem undesirable at the present time to procure the coöperation of Europe in remonetizing silver, for to do so would be to produce immediately an expansion far larger than is desired or desirable. But the remonetization of silver by the United States could not have a greater effect than simply to restore silver to its former place with reference to gold; or, in other words, than simply to counteract and remove the disastrous effects of the attack of the creditor classes upon silver commenced in the year 1873.

In conclusion, it may be added, that while the remonetization of silver by the United States would probably restore it to its former value with relation to gold, it is not clear that the currency of the world would thereby be increased to the serious extent apprehended by the advocates of gold. It seems that uncovered government notes in currency throughout the world, amount to about two thirds of the whole silver stock; and if we add to this the amount of bank issues in excess of bullion held to redeem them (which the advocates of gold are desiring to in-



crease) the total amount of paper currency will probably exceed either that of silver or of gold. Hence, if this species of currency be entirely disused, the total stock of money will not be increased; and whether it shall be disused or not, will be entirely within the power of the creditor classes; who have at least heretofore, with the exception of one or two temporary occasions, been permitted to control the whole question.

GEORGE H. SMITH.

THE ULTIMATE SOLUTION OF THE NEGRO PROBLEM.

BY WARDON ALLEN CURTIS.

"AFRICA is the continent of the future," said Victor Hugo, and he did not mean by this merely that Africa would afford a refuge for the surplus population of over-crowded Europe, but that a mingling of the white and black races would produce a new race superior to either of the parent races. He pointed to the fact that all the leading nations of Europe were formed by the union of many diverse peoples, and that without an occasional infusion of fresh blood, a nation becomes effete. He argued that as time went on the constant migrating brought about by the modern facility of communication, would make the Europeans one homogeneous people, and that then the necessary revivifying current of new blood must come from Africa. To him, the Mongolian was the old man of the world, a race that had played its part and relapsed into senility; the Caucasian was the man of middle life, the worker; while the negro was the yet untaught youth, ignorant, yet full of possibilities for the future.

The negro problem is the gravest of our national problems. In the South it is an ever present thought with all, a constant subject of conversation. The people of the North hardly realize the importance of this problem, and yet they cannot ignore a question which so vitally concerns a great section of our land, a question which will come home to North as well as South, as the negroes gradually spread themselves over the entire country.

Many are the solutions which are proposed for the negro problem, many are the phases of the problem. Local conditions are dealt with by local laws. Some of the negroes are being educated. The American Colonization Society sends to Liberia

some fifty a month, and thus the two principal plans proposed for solving the problem are being carried out. But the mass of the negroes do not receive an education, and the emigration of six hundred a year makes no impression upon a population of six millions. Even were all the negroes to receive an education, the problem would still be unsolved. New and still more serious complications would arise. But while statesmen and philanthropists are grappling unsuccessfully with the problem, Nature is solving it. The American negroes will be absorbed by the preponderant mass of whites surrounding them. They are being absorbed. An astounding, a preposterous statement, many will say. Let us consider the matter candidly and without prejudice.

The negroes have been in America almost as long as the whites. During the two hundred years of their presence here, a stream of white blood has flowed into the race, and as time goes on, this stream grows larger. Miscegenation commenced with the first importation of negroes. In the beginning it progressed slowly, the black women being ugly and unattractive, but as the number of half-castes increased, it went on more rapidly. The mulatto women are more attractive to the licentious whites than are the black women, the quadroons more so than the mulattoes, and the octoroons still more than the quadroons. In the days of slavery, these half-castes, no matter how white, were still slaves and at the mercy of their master's caprices. To-day, no matter how white, they have no higher social standing than the black women, are very little better educated, and in consequence offer no more resistance to the desires of the white man than do the black women. They are inclined to welcome a *liaison* with a white rather than marriage with a black. With their white blood they have inherited some sense of the esthetic, and dislike to mate with the unhandsome black. Mother-love for the offspring also is a moving spring and they prefer union with a white man, illegitimate though it be, because the children will be superior to those born of a black father. The male half-caste seeks his mate among his own race, or rather the race which custom calls his. He is not averse to

marriage with women blacker than himself and it is through his agency that the mass of black humanity has become and is becoming gradually lighter in color. It is by no means true that the quadroon and octoroon women always become mistresses of white men. They often marry men of their own color or darker, but it is principally through the male children of illicit unions that the whitening of the great mass of darker and more unattractive negroes goes on. The male cannot look to an illicit connection with the higher race; he is not anxious to have his offspring superior to himself; it goes without saying that being a man his esthetic sense is not so highly developed as that of the half caste woman. The tendency of the male half-caste is to seek unions with those darker than himself; the tendency of the female, with those lighter than herself. In Hayti, the black republic, it is said that the mulattoes, who formerly numbered over one tenth of the population, are fast decreasing because the mulatto women remain single rather than marry mulattoes or negroes. Even those who do marry, marry late, as they wait in the hope that they may capture one of the foreign merchants of the small colony, and only marry a Haytian as a last resort.

In the United States, marriages between whites and persons of color seldom occur; indeed, the states with large colored populations forbid it by law. The absorption of the colored population has depended and will depend upon a laxity of morals upon the part of both races, and a physical and mental improvement in the inferior race. That such a laxity of morals exists, no one will deny. The American men are probably less immoral than the men of any other nation, unless we except the nations of the British Isles; yet even there, from four to eight of every hundred births are illegitimate. The American men are no more immoral than the Englishmen, their apparently greater immorality in the Southern States is accounted for by the fact that while the license of Englishmen is kept within bounds by the virtue of English women, the black women offer but little resistance to the desires of the whites. That the black women lack virtue is not because of any innate depravity. Among other things, it is the fault of their very low grade of

intelligence, of their ignorance, their servility, of the laxity bred in their race by the frequent family separations and new marriages of the days of slavery, of a lack of that foresight and prudence which so often passes for virtue. And the fact that they never take precautions to prevent births, makes the illegitimate birth rate larger in proportion to the real immorality than it is among white nations. Whatever extenuating reasons may be given for immorality in the states with large colored populations, it certainly exists. The large and constantly increasing number of persons of mixed blood is proof of this. Save in the far Southern States, how few really black negroes there are. All through the border states the prevailing color is not black. Many people are so far misled by this as to think that "black," as applied to the negro, is a comparative term like the "red" of the Indian, used to distinguish him from the "white," rather than to indicate his true color: That there are "black men," one can easily see by observing the older generations of negroes, the men who have been slaves. The old negroes are almost invariably black, coal black. Some explain these variations of color by saying that they are not due to an admixture of white blood so much as to a variation in color among the African tribes from whom our negroes are descended. It is true that some African tribes are lighter than others, and the slave ships procured their cargoes from all parts of the continent. However, nearly all the American slaves came from the west coast, particularly the Portuguese possessions in the Congo country, and west coast negro tribes are all black in color, though differing much in size, strength, and intelligence. It is on the east coast, and that part nearest Arabia and Egypt, that the lighter colored negroes are found. They show in their physiognomy and mental characteristics, as well as complexion, evidences of an admixture of Arab blood. Egypt, Persia, and Arabia all traded with the east coast and had colonies there. The light hue of the Gallas, Somaulus, and other tribes on the east coast, comes from a white ancestry. The real negro is black. The lighter colored American negroes surely have white blood in their veins, whether that blood is Anglo-Saxon,

Egyptian, Persian, or Arabian. That not more than one third of the negroes outside the back country districts of the Gulf States are perfectly black, will be readily admitted. It being easy to show that the true African negro is jet black, then it must be admitted that every negro in any degree lighter than jet black, is to that degree possessed of white blood.

At the present time it can scarcely be said that the negro is being absorbed. Where a trace of negro descent in a person is even so slight that it must be proved by genealogy rather than any evidence in complexion, figure, hair, or disposition, that person is still classed as a negro in almost every state. So long as this is so, the negro is not being absorbed. But he is gradually absorbing white blood until in the course of time it will be utterly impossible to distinguish between the person who is Caucasian and the one who has an infinitesimal strain of African blood. The colored population of the United States is about six millions. The whites number sixty-five millions. If the colored population were entirely black, mixing the two races would produce a race in which the quantity of colored blood would be less than one tenth, a race several shades lighter than quadroons, but still generally distinguishable as a colored race. But it must be kept in mind that these six million colored people are at least one quarter white, further diminishing the proportion of colored blood in the amalgamated race. And also that the proportion of white to colored men constantly increases, the colored race not increasing by immigration, and its death rate being far higher than the white death rate, even in the states whose climate is supposed to be more favorable to blacks than whites. Furthermore, the highest death rate is among the black negroes, not among the more intelligent half-castes. In the days of slavery, the negroes were cared for because they were valuable property, but left to their own devices they are careless of their health, do not employ physicians when ill, and take no sanitary precautions in general. It is true that certain pestilential diseases fatal to the white man are comparatively harmless to the negro, but of the diseases prevailing in the United States, the larger share are far more fatal to the

negro than to the white. The negro does not show intelligent care for his young children, and the infant mortality is very great. In fact, the negro race in America increases very slowly. Even in the West Indies, the whites increase faster than the negroes, the apparent decrease of the whites being due to emigration. In Trinidad and the French West Indies, the negroes do not increase. The population of Hayti is less than it was in the days of Toussaint L'Ouverture. In Porto Rico the whites increase at a rate equalling that of the French Canadians, while the negroes actually diminish. The negro in America is gradually being eliminated. Elimination as well as absorption will cause his disappearance. The real increase of that portion of our population which figures in census statistics as "negroes," is not among the true negroes, but among the half-castes. And so as time goes on and the proportion of whites to blacks increases through immigration and a lower death rate and at length the true blacks disappear, the absorption of the colored population will form a nation in which the strain of negro blood will be so slight that neither in physical nor mental characteristics will there be discernible evidence of its presence.

The only thing that can prevent this absorption is a higher standard of morality for both the white and colored populations. When once the colored race becomes so high in moral and intellectual development as to reduce the present rapid rate of infusion of white blood through immorality, it will be so far improved physically and mentally that the absorption will be continued by honorable marriage.

Another seemingly preposterous statement. "The whites will never marry blacks." Why not? Our present prejudice against the blacks, if you can call a race instinct prejudice, is commonly said to have its foundation in the fact that these people were once our slaves and are now our equals, at least, political equals. In a measure this is true, but the prejudice is better accounted for by the facts that the negroes are certainly our mental and physical inferiors. According to our standard, negroes are usually uncomely, at times almost repulsive. It is not alone their color, their previous condition of servitude, that causes

our aversion to them, but their ungainly figures, their usually unhandsome faces, their low mental status. When the negro race has been elevated by education, when the increased mental power shall have had its effect upon the contour of the face, our aversion will be largely overcome. When a slight kinkiness of the hair, a slight fullness of the lips, a slight duskiness of the complexion are no longer regarded as evidences of mental inferiority, we shall look at the half-castes without prejudice. If they possess any traits of physical loveliness, we shall not refuse a recognition of these traits. There are people showing unmistakable evidences of negro blood, who are yet handsome. When that future mixed race, the preliminary to absorption, shall show that besides being physically attractive, it has a high mental capacity, there will be no obstacle to intermarriage, the final step in the complete absorption and disappearance of the negro race in America.

WARDON ALLAN CURTIS.

THE SCIENTIFIC VALIDITY OF THE PROTECTIVE POLICY.

BY THEODORE COX.

THE opponents of a tariff for protection, in this country, have always been remarkable for the untiring perseverance with which they have clung to the idea that, although an extraordinary series of unusual circumstances has caused this country to tranquilly follow in the footsteps of prosperity for many years, while laboring under various, but equally iniquitous, protective tariffs, and has thus blinded the great mass of the people to a full appreciation of their error, they, the advocates of free trade, have alone been able to discover that the protective policy has had absolutely nothing to do in aiding our great advance; that such a policy is entirely contrary to the fundamental principles of society, and that we have prospered only in spite of it.

It cannot be gainsaid that if a thing be true in fact, it must be true in theory, or, is capable of logical elucidation. In other words, if we protectionists are on the correct side of the tariff question, we should be as able to meet and conquer the free trade advocates in theoretical discussions as in statistical comparisons. In the first place, when an advocate of absolute free trade, who is highly intelligent and has studied the great principles upon which society is founded, and most of the disciples of out and out free trade are of this class, speaks of the fundamental principles of our social structure, it is, perhaps, well to inquire what he considers to be such. I feel confident that, if he is a true student of the subject, he will readily admit that the Malthusian law of population is, at least, one of the most powerful and far-reaching natural forces that comes under the observation of the political economist. I think, I say, that he will concede it to be a fact that the population of

any country is absolutely regulated by the means of subsistence at the command of the people, and that the most prosperous nation is the one that can support the greatest comparative population in the enjoyment of the greatest comfort. Hence, an ideal state of society would be one where a sufficient quantity of food was permanently produced to supply the wants of the entire population, and where, at the same time, enough employment was furnished to support a population large enough to consume all the food at the nation's command. I scarcely think any question will be raised as to the validity of this assertion, and, therefore, the only question at issue is whether it were better to produce the nation's means of subsistence within the country itself, or procure a large part of them from without—whether we may make a nearer approach to social perfection by means of a protective rather than a free trade policy. Hence, it will be my endeavor, in these pages, to show, as briefly as possible, that states have been brought very close to this ideal by means of an absolute prohibition of external trade, under conditions very similar to those now existing in this country, and in no other manner, and that it may be accomplished in this country by means of protective tariffs.

Adam Smith considers it to be a remarkable fact that the ancient inhabitants of Egypt and India, as well as the present population of China, have constituted exceedingly opulent nations, and yet were practically without foreign commerce. Hs says they derived their great wealth from the facility that their immense inland waterways afford for trading among themselves.* If he were alive to-day, I am confident that he would freely confess that our vast network of rivers and railroads affords facilities for transportation that the people of the above mentioned empires never dreamed of possessing, and, hence, according to his own statement, we are in possession of the very means that enabled these peoples to gain their enormous wealth, and we possess them in far greater magnitude than they did.

Of course, the free trader will here ask, Why not extend the exercise of this principle, which has proved so beneficial to these

* Book I., chap. III., p. 9, Wealth of Nations.

peoples, to the people of the whole earth? Surely, they exclaim, the facilities for trading between nations are as plentiful now as were the means possessed by the ancient Egyptians for bartering among themselves. The reply to this often repeated expression is, I think, a very simple one. When the whole earth becomes one nation, then the theory of free trade will be correct. But, while its surface is cut up into numerous nationalities, and especially while war is a possibility, each country, in order to be permanently prosperous and safe from ruin, must furnish within herself her own means of subsistence. To illustrate the truth of this assertion, let us examine the condition of a country dominated by the free trade policy, and compare it with that of a nation under absolute protection. England stands to-day, in the opinion of the free trader, an ideal example of the beneficial effects derived from the execution of his theory, and yet what is her real condition? She supports a great population by means of her manufactures, which are in turn supported, and have been created, by a foreign market. In other words, she manufactures vastly more than she consumes. Consequently, in accordance with the great law of population, the number of her people has risen with her increasing demand for labor, until she now has a population much larger than she is able to feed; hence, she is obliged to procure their food from other and far-distant lands, in exchange for her manufactures. Thus, she has an extremely great number of individuals within her borders who have only been born and are only able to live because she is able to export vast quantities of merchandise and import great quantities of food. Hence, it is an indisputable fact that, if either her imports or her exports should suddenly be cut off, hundreds of thousands of her inhabitants would actually starve. I say either, for if the imports were stopped the people could not buy corn enough to satisfy them all, at any price, while if her exports were to suddenly cease from outside causes, an immense number of her people would be thrown out of employment, and, hence, could not buy food no matter how plentiful it might be. British statesmen have long recognized this to be a fact, and it has been from this knowledge that they have understood that, in order to

guard the very life of the nation, they must keep upon the ocean a fleet of sufficient strength to be able to meet upon equal terms any probable coalition that might be formed against them. But, their navy is not now powerful enough to repel the attack of any possible combination of European powers, and in this fact lies one of the two great dangers that threaten the English people. The other is the danger of having her exports alone interrupted by the other nations of the world adopting the protective policy. We can all readily recall the suffering that was caused among the laboring people of England by the contracting of the American market alone through the enactment of the tariff of 1890. Imagine the result if she were debarred from the markets of the world! Surely, it can scarcely be claimed that she is free from the danger of ruin, or, that she approaches, in any degree, the ideal standard of society—that she has *permanent* command over her means of subsistence.

It seems incredible, in the face of these self-apparent facts, that any can deny that Great Britain should strain every effort toward producing within herself sufficient food to support her people. At present, she supports a farming industry sufficient to fill her every need, but the trouble is that this industry and its produce are situated in foreign lands, from which she can be insurmountably separated. Besides, even if she could never be cut off from this industry, it would be a great saving to have it at her very table, rather than have it separated from her by thousands of miles of ocean, over which she must pay to have it transported. Is not every foot of transportation so much loss? And yet we hear the free traders exclaiming over the benefits of commerce, as though the more freight we pay upon an article the better it is for us. The question now arises, How can she transplant this industry within her own borders? By placing a duty upon imported corn she will raise the prices of the common people's actual nourishment, and, on account of their low wages, produce widespread suffering, if not actual famine. Her only course, then, is to place a bounty upon domestic corn. This would insure to every English farmer the foreign price plus the bounty for every bushel of grain that he

raised. Thus he could sell his corn at the foreign price, and yet realize a much higher profit than his competitor. There would be a greater rush into the business, and this new and large demand for labor would cause wages and prices to rise until a farming population was produced that would be able to supply the entire population with food. Then the bounty could be abolished and a prohibitive tariff placed upon foreign grain. Thus the farming industry that was situated across the sea would now be with the British Isles, and instead of exporting manufactures and importing corn, she would, by means of her increased population, have a permanent market for all her goods within herself, as well as a permanent food supply that could not be cut off from her. Moreover, both her merchandise and her food would be cheaper, since she would save the freight both to and from the foreign lands.

Compare the present condition of Great Britain, whose only hope of safety from starvation lies in her ability to control the sea, and to persuade, or force, foreign countries to throw open their gates, with that of China, without a navy, and practically without foreign commerce, yet able to support the densest population on the face of the earth.

Our condition, as regards food, is very similar to that of England in regard to manufactures, and *vice versa*. Hence, we are in no such danger as is Great Britain. We produce more corn than we consume, and, hence, cannot be very well starved out. But, as we are forced to export great quantities of this corn, it must compete in the foreign markets with the produce of cheap foreign labor, and, moreover, must have the freight deducted from their scanty price. Truly it is scarcely to be wondered at that our farmers are discontented. A bounty on corn grown in America would be of no avail, since we already grow as much as we can make use of, hence, the price would fall until, with the bounty, it would not surpass the present price. A bounty upon exported corn might help the farmers, as it would enable them to undersell the foreigner in his own market, but this would not be of any national advantage, since, if these exports were cut off by war or foreign tariffs, the farmer

of this country would be thrown into a state of ruin, as his surplus, usually exported, would rot upon his hands. But, if we can raise a population within this country that will consume all of our corn, there can be no doubt but that the farmer will be vastly benefited in common with the entire people. For every raise in the number of mouths to feed, means a widening of his market, and every consequent increase in the number of his class means more bodies to clothe, and, hence, a greater demand for manufacturing labor.

Now, the idea of the scientific protectionist is to check somewhat the influx of foreign imports, and, thus, *by slightly raising the price* of manufactured commodities, to encourage domestic manufacturers into opening, or enlarging, the workshops of the country, and, hence, creating a demand for labor. By thus creating a demand for labor, that cannot be immediately filled to its full extent, we bring employers into competition in procuring the required labor, and, thus, *temporarily* raise wages. But, as the iron law of Nature gradually fills this demand, until employes again compete for work, their wages fall, and, thus, the cost of manufacturing being lowered, competition among manufacturers brings down the prices. Statistics show that, in many instances during the continuance of the high protective policy, prices have fallen without a corresponding fall in wages, and many of my fellow protectionists have been greatly led into error by this fact. But, it is readily explained. The immense flood of immigration that has poured into this country, for many years, clearly demonstrates that our means of subsistence have increased at a more rapid rate than it was possible for our population to keep pace with, under the circumstances, by mere generation. Hence, as the invention of labor-saving machines cheapened the manufacture of commodities, they naturally fell in price, irrespective of the fact that the demand for labor kept pace with the supply, and, thus, the price remained untouched, or rose as some fresh tariff raised the demand beyond the supply. But, of course, this condition can only remain while the resources of our country are developing at the present, and past, terrific rate. Unless interrupted by the



exercise of the preventive or positive check, the population of a country will double in number every twenty-five years,* while the soil of no country can promise food for such an increase for an indefinite period.

Probably the most silly question ever asked by the free trader, and I am astonished to find that it is propounded by so large a number of men who should be above such twaddle, is the one which asks why we protectionists are not in favor of immediately enacting a prohibitive tariff, instead of gradually reaching this practical end by means of many successive protective tariffs. The answer to this query is, because we cannot immediately create a population large enough to meet the tremendous demand for labor that such an action would entail. For a while we would actually suffer from the want of manufactured goods, instead of simply being obliged to pay a slightly increased price for them, as we do under the protective policy, while the population is being raised to the demand.

THEODORE COX.

* Malthus on Population.

CONGRESS AT WORK.

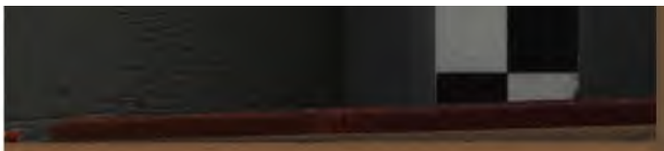
EDWARD P. LEE.

NO POLITICAL institution is talked about more than the legislative branch of the government. Yet to the popular view it has many of the features of the Unknown. This ignorance is in great part excusable, for the national legislature is a complicated mechanism, whose operations require observation as well as study.

A favorable time to begin a practical study is the assembling of a new Congress, ordinarily the first Monday in December, unless an "extra" session be convened earlier. In the Hall of the House will be found 356 representatives-elect—all above the age of twenty-five years, citizens of the United States at least seven years, and inhabitants of their respective states: each entitled to a salary of $5,000 a year, with mileage from his home to Washington and return, at the rate of twenty cents a mile, stationery and packing-boxes to the value of $135, or commutation in lieu thereof.

At 12 o'clock the clerk of the preceding House raps for order, reads the roll of members-elect, as certified to him by the governors, and announces that the first business is the election of officers. Candidates for speaker, previously selected in caucuses, are nominated in set speeches; and on the declaration of the vote, the successful candidate is escorted to the chair by his two chief competitors, and after a brief address, is sworn into office by the member oldest in service. The speaker swears in the other members, who come forward, as their names are called, to the space in front of his desk, known as the "well," and with uplifted hand swear to support the Constitution.

The House next elects a clerk; a sergeant-at-arms, to preserve



order in and about the Hall, and, with the clerk, pay all salaries and expenses; a doorkeeper, who tends the doors through thirty odd proxies, announces all messages from the Senate and president, and has charge of the document rooms of the House; a postmaster, and a chaplain.

Resolutions are now presented and adopted authorizing the speaker to appoint committees of three to wait upon the Senate and president, and inform them that the House is constitutionally organized and ready to proceed to business.

Permanent seats are then assigned by lot, the members retiring to the rear of the Hall, back of the brass railing called the "Bar of the House." Each member receives a number; corresponding numbers are placed in a box on the clerk's desk, and drawn out by a blindfolded page. As each member's number is called out, he selects a seat, if a Democrat, on the right, if a Republican, on the left of the speaker. Ex-speakers and the member oldest in service, who is styled the "Father of the House," are permitted to choose their seats before the drawing. After the assignment of seats, the House adjourns till noon of the following day.

Meanwhile, in the other end of the Capitol, the 88 men constituting the Senate have been called to order by the vice-president, who proceeds to administer the oath of office to new members as they advance to his desk escorted by their colleagues. This completes the constitutional organization of the Senate, which is a continuing body, only one third of its members retiring every two years. Its officers are not elected at the beginning of a Congress, but hold their places at the pleasure of the majority. The Senate, also, does nothing the first day except to appoint committees to notify the House and president that it is ready for business.

Strictly speaking, however, neither body is ready for business until the fifty standing or permanent, and the ten select or temporary, committees of each are appointed. Without committees, Congress would be a legislative mob. Congress indeed is governed by committees, and committees by chairmen, so that for all practical purposes nine tenths of the present number of

senators and representatives could be dispensed with. A committee varies in number from five to fifteen members, the majority including the chairman in nearly all cases. Every member is on at least one committee, some on several. Ways and means, coinage, weights and measures, judiciary, and appropriations, are the most important committees in the House, corresponding to the finance committee, the judiciary committee, and the appropriations committee of the Senate.

In the House, the appointment of all committees is vested in the speaker, who is, thereby, the most important factor in the legislation of a particular Congress, and in point of real power in the government, next to the president. He can make his views effective by the composition of a committee. From a co-equal representative, the member elected speaker becomes field-marshal of the House, with fifty or more lieutenants, the chairmen of committees.

In the Senate, each party in caucus chooses a committee to make up its representation on each of the standing and select committees of the body, substituting for the "one man power" system of the House the voice of the majority. The lists selected by these caucus committees are presented and adopted by the Senate in the form of a resolution.

The appointment of committees completes the legislative organization. If now the control of either body has passed from one political party to the other, there follows a partisan organization in that body, all Congressmen being partyotic if not patriotic. "To the victors belong the spoils" was first proclaimed beneath the dome of the Capitol, and no employee to this day can claim a "vested right" to work there. When both Houses are thus re-organized, over seven hundred employes are affected. A few are elective officers, through whom the minor patronage of the Houses is distributed among the members of the majority, with a few exceptions.

After this, Congress is ready for the work of the session. Public and private bills, resolutions, executive messages, letters and reports from heads of departments, petitions and memorials, make up the raw material of legislation. In the fifty-first

Congress more than twenty thousand papers and documents were presented, more than could be even read in the entire two sessions. No business is carried over from one Congress to another, and, consequently, many bills and claimants reappear biennially.

All measures are introduced by members, who, however, seldom prepare them. To facilitate the introduction of business in the House, boxes are provided, into which members drop papers properly endorsed, thus economizing the time of the the House by not offering them from the floor. In the Senate all measures are presented from the floor. Bills, resolutions, and important petitions are printed before being sent to appropriate committees for action.

A few committees originate their own bills, such as the committee on ways and means and the committee on appropriations of the House. It is the prerogative of the House to originate revenue and appropriation bills. The House and Senate fought this point "to a finish" many years ago, and the House won an empty victory, for while the Senate can take unlimited time to consider such bills when they come over from the House, it is usually so near the end of a session when the House gets them back again that it has little or no time to debate the Senate amendments, which it frequently has to "gulp" down without a gurgle of protest, or let them go into conference where the Senate usually has its own way.

The committee on ways and means and the committee on appropriations base their measures on the five-hundred page "letter" submitted at the beginning of each session by the secretary of the treasury, giving estimates of the receipts and expenditures of all departments of the government for the ensuing fiscal year. These two committees, being composed of different persons, never make ends meet, a result made doubly inevitable by the fact that two similar committees of the Senate review their measures. As a consequence, "deficiency bills" have to be passed every year.

It is in committee that legislation receives its first, and usually its final, mold. Once a week, or oftener, members meet in the

committeé room, and consider measures referred to them. The chairman is a little speaker: he arranges the order of business, and advances or sidetracks a measure pretty much as he chooses. A majority can take up any bill they please, but custom and policy conspire to make the chairman autocrat of his committee. The proceedings are private, except when a public hearing is granted. Then it is customary to have a stenographic report made and printed for the use of the committee. In theory, a committee is a judicial body; but when a member has introduced and advocates a measure, other members are not disposed to cross-question him; and although many bills involve a draft on the treasury, no provision is made for an attorney to represent the government.

Committees charged with a large number of bills are divided into sub-committees by the chairman, who assigns to each a number of bills. After investigation, they report to the full committee for final action. A clerk keeps a record of all business transacted.

Committee work affords a member the best opportunity to show himself for what he is worth. If he has a grasp of public affairs, a judicial mind, integrity, and industry, committee service will bring out these qualities, and make their possessor a marked man among his associates, though he may never make a "hit" on the floor.

A committee may do one of several things with a bill: It may report it favorably, with or without amendment; it may report it adversely; or it may bury it. When a bill is reported back from committee, it is accompanied by a report, either a unanimous report, or a majority and minority report, and placed on the calendar in its proper class—if a public bill, on the public, if a private bill, on the private, calendar; the calendar being a list of all measures reported from committees, and ready for action. It has in each House subdivisions for different classes of business. Measures are not taken from the calendars and considered in regular order: there the first is often last, and the last first.

The Senate reserves no day for a particular class of bills.

After presentation of what is called "morning business," consisting chiefly of petitions, memorials, bills, and reports from committees, the time until two o'clock is devoted to the calendar, under what is known as the "five minute rule," each senator being allowed only five minutes' debate on a single proposition. If a bill be not disposed of by two o'clock, it is entitled to the floor each morning, after "morning business," until disposed of. Before two o'clock, a single objection prevents consideration. At two, if the Senate has made no special order for that hour, any measure objected to may be called up; and if final action on the matter is not reached that day, it comes up thereafter at two o'clock as "unfinished business," holding the floor till passed or defeated, or displaced by a vote of the Senate.

In the House, special days are assigned for certain measures. The second and fourth Mondays of a month are known as "District days," when measures relating to the District of Columbia are in order, Congress being practically the common council of the District; Friday is reserved for private bills, the evening for pension bills. The first and third Mondays in a month are "suspension days," when it is in order to move that the rules be suspended to take up a bill not otherwise entitled to consideration at that time. "Suspension" requires a two-thirds vote of the House.

On other days, after routine and unfinished business, one hour is devoted to the consideration of bills on the calendar. Each committee is called in turn, and the chairman recognized in preference to all other members. The chairman thus determines what bill from his committee shall be considered, and as he also controls the time allowed his side for debate, it can fairly be said that the House is governed by the chairmen of committees. The ordinary member is overslaughed, and wisely learns to keep his seat, thankful whenever the speaker or a chairman allows him to discuss a measure. He is not at liberty to rise, at the prompting of what he regards as a patriotic impulse, and introduce and forthwith advocate the passage of a bill, however meritorious it may be. He is fast bound by the rules, which in the hour of his ignorance he voted to adopt.

Its unwieldy size and the amount of business always pressing for consideration, requires the House to be penurious with its time. No committee can retain the floor for more than two mornings in succession. Additional time can be obtained only by a "special order," recommended by the committee on rules, setting apart a certain day. The fate of a bill often rests with this committee, popularly known as the "Steering Committee." The speaker is chairman, and as he appoints this committee also, he practically controls the course of business in the House.

In the Senate, a caucus committee of the dominant party is sometimes appointed to arrange an order of business; and if an important political issue be involved, each party determines in caucus what action it will pursue.

It is rash to prophesy what Congress will do on a particular day. Nothing is certain beyond the opening prayer and the reading of the journal of the previous legislative day. In the Senate, it is safe to assume that "morning" or routine business will be presented; but in the House, immediately after the reading of the journal, a motion may be made to consider an appropriation or a revenue bill, and on "suspension days" to suspend the rules and take up any bill on the calendar. Moreover the "courtesy of the Senate" and "unanimous consent" in the House often interrupt the routine, and unexpectedly bring a measure to the front for consideration. When, however, a measure has been made a "special order," it will be found under consideration on the day set apart for it.

Every bill that becomes a law runs practically the same course, and the history of a tariff bill illustrates the history of all. Any member of the House may introduce such a bill, but generally a tariff bill is prepared by the majority of the committee on ways and means, assisted, when of the same party, by treasury officials, and whatever outside help they see fit to consult. The bill may finally bear the name of Mills or McKinley, but it's a wise tariff bill that knows its own father. Several months are required to frame it, interested parties from all sections of the country being heard for or against its many thousand items. Members present arguments before the committee in behalf of

the interests of constituents. Life becomes a burden to the committee. They are blamed for doing what they should do, and praised for doing what they ought not to do. At length the bill is finished, with no one satisfied.

As one of the "privileged committees," the committee on ways and means can report at any time. The tariff bill is reported to the House, backed by a majority, and attacked by a minority, report; and then it has to run the gauntlet of the House. The chairman gives notice that at a certain hour in the near future he will ask that the bill be considered. The interval affords members an opportunity to post themselves on the provisions of the bill, and to prepare speeches.

On the day announced, the chairman moves that the House "resolve itself into a committee of the whole House on the state of the Union," and proceed to consider the tariff bill. If his motion is adopted, the speaker calls a member to the chair and retires. The speaker presides only over the House proper; when the House forms itself into a committee, he selects a chairman to preside, who is addressed as "Mr. Chairman."

Every bill that raises revenue or appropriates money, must be considered first in committee of the whole. If it be a public bill, the committee is called the "committee of the whole House on the state of the Union"; if a semi-public or private bill, it is called simply the "committee of the whole House." This large committee reviews in detail the work of the small committee, discussing and amending it at will. One hundred members constitute a quorum, and the proceedings are more informal than in the House. Before resolving itself into committee, the House determines what business shall be considered, and how much time shall be spent in general debate.

The tariff bill is first considered by this committee; its discussion runs through many months. After a preliminary speech by the chairman of the ways and means committee, the bill is open to debate. Leaders on both sides are listened to; also those who while not deep are able to amuse the House. The mediocre speaker is deserted, except by his immediate neighbors and friends, who under similar circumstances expect the same favor.

Others retire to the cloak-rooms under the galleries, or resume their newspaper, attend to their correspondence, or engage in conversation,—in short, do everything but listen. No disrespect, however, is intended: the House is acting merely in self-defense. It will not listen to speeches prepared mainly for home consumption, for which it sets apart a series of evenings when the participants alone are obliged to be present.

The chairman keeps a list of those who notify him of their desire to speak, and usually recognizes members of different parties in turn till all have been heard. After this "general debate," amendments, and five minute speeches thereon are in order. "Pro forma" amendments are frequently offered. A member may move to strike out the last word of a clause, to enable him to say something, possibly, on the pending question, but more likely on a subject foreign to the discussion. Such amendments often add "raciness" to the proceedings. In this way the entire bill is gone through item by item. When finished, the committee "rises," the speaker resumes his seat, and the retiring chairman reports what has been agreed to in committee of the whole.

The bill is now before the House, and the action of the committee of the whole may be undone. An hour for the final vote is agreed on by the party leaders. More speeches follow, and every parliamentary method is employed to carry or defeat the measure. As a last resort the minority may turn to filibustering, to kill time and tire out the other side.

Filibustering is easy to practice under the rules of the House. A filibuster moves that the House adjourn, and pending that motion he moves that the House adjourn to a particular day. Another filibuster moves to amend by substituting a different day. Here are three separate motions to be voted on, and on each motion four separate votes may be demanded: first, a *viva voce* vote; second, a rising vote, the speaker counting the members; third, a vote by tellers, two members being appointed to count each side as it files between them; and fourth, a yea and nay vote, each member responding as his name is called by the clerk. Finally, a demand may be made to recapitulate the

yea and nay vote, to see who is recorded. To take these four votes requires over an hour's time; and to dispose of the three motions referred to, the business of the House is delayed several hours. If, moreover, the lack of a quorum is disclosed, all proceedings must be suspended, and a "call of the House" ordered. This sometimes necessitates sending for members who are out at dinner, at the theater, or absent from the city, so that several days may intervene before business of any kind can be resumed. Then when a quorum finally appears, the filibusters begin again with their dilatory motions, continuing their tactics till some sort of compromise is arranged, usually in party caucus, and the "deadlock" is broken.

When the bill has surmounted every obstacle, the chairman of the committee moves the "previous question." This is equivalent to demanding an immediate vote. If the motion carries, the clerk proceeds to call the roll and record the name of each member voting. This is the critical period in the history of a bill, because members must now commit themselves in black and white. In committee of the whole votes are not recorded, and many a bill passes there safely, only to be stopped in the House by a yea and nay vote. In order that absences may not count against any side, "pairs" are arranged, so that a yea and nay vote reveals the exact strength of a measure.

Suppose the tariff bill passed. It is then engrossed, signed by the speaker, and carried over to the Senate by the clerk of the House, who announces its passage and requests the concurrence of the Senate. As every bill coming from the House must be referred to a committee, the presiding officer refers the tariff bill to the committee on finance.

Though the Senate, as has been said, cannot originate a revenue bill, it can amend one; and frequently it does so with a vengeance. The "Mills bill," of 1888, as passed by the House, was amended in the Senate committee by striking out all after the enacting clause and inserting a new bill.

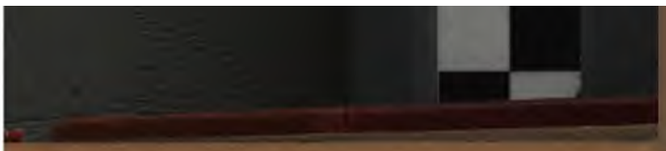
The committee on finance begins the work of revising the bill by summoning manufacturers and experts, a different set from that heard by the House committee, if the Senate is con-

trolled by the opposite party. Senators accompany constituents to the committee and make statements in their behalf; and pretty much the same scenes are enacted as on the House side. After a thorough overhauling, the bill is reported back to the Senate, and a time set apart for its consideration.

The Senate first considers the bill in committee of the whole, but without changing its presiding officer. Discussion and amendment occupy long weeks, and the proceedings in the House are substantially repeated. The speeches, however, are less sophomoric, if not more logical. Exciting episodes are rare, and a drowsy monotony prevails. The decorum of the Senate presents a strong contrast to the stock-exchange appearance of the House. Senators seldom indulge in boisterous conversation, and never smoke in the chamber with their heels on their desks. When they wish to "loaf and invite their soles," they retire to the cloak-rooms.

After months of speech-making and amendment, the tariff bill is finally brought to a vote on a day agreed upon by the two parties. All votes in the Senate are thus arranged, as the rules of the body do not provide for *cloture*, and the majority is always at the mercy of a minority, no matter how insignificant in numbers it may be. As the tariff bill has undergone amendment, it must now be returned to the House for further reference and discussion and for action on the Senate amendments. The House as a rule refuses to concur, and asks for a conference with the Senate on the disputed points. Three members from each body are appointed by the chair, the minority in each House having two members. This conference committee has jurisdiction only over matters on which the two Houses have been unable to agree; but oftentimes by mutual compromises they alter a bill so completely that its author would scarcely recognize it. Having adjusted differences, they report to their respective Houses; and it is well-nigh impossible to defeat a conference report. In the closing days of a Congress, a great deal of legislation is the product of conference committees.

After the tariff bill is enrolled on parchment, it is taken to



the president. If he signs it, the bill is law, and is deposited with the secretary of state. If the president should veto it, he sends it back to the House in which it originated, and unless the bill can be passed by two thirds of both Houses, it is lost.

In all legislative matters the Senate and House act conjointly. The House, however, has no voice in the appointment of officials or in the making of treaties. The Senate alone is consulted by the president in executive matters. When the Senate considers executive business it sits with closed doors, no one being present except senators and specially sworn officials. No record is kept save a journal, and the public is informed merely of the affirmative or negative action of the body. A senator is liable to expulsion, an employee to dismissal and penal punishment for disclosing executive secrets.

The adjournment of Congress at the close of a long session, being fixed by agreement between the two Houses, is unattended by the excitement usual on the last day of the life of a Congress. In a legal sense, Congress expires on the 3d of March, and all laws passed on the 4th bear date as of the 3d, because the legislative day of March 3d has been decided to extend till noon of March 4th. The rule is that a legislative day extends from one adjournment to another. The longest legislative day on record occurred in 1877 during the discussion of the Electoral Commission bill. It lasted a month.

As the 4th of March approaches the scenes in the House grow more exciting. The last day is a "suspension day." Committee struggles with committee, and member with member to secure the floor. The speaker's favor is all potent. He generally arranges beforehand whom he will recognize; and in vain do other members stand in front of his desk, waving bills and shouting "Mr. Speaker, Mr. Speaker." But "Mr. Speaker" has neither eyes nor ears for them; with provoking calmness he gives the floor to this man and that, according to his program.

On the last day many objectionable bills are likely to get through. The House is in a continual uproar. Members, exhausted by night and day sessions, are engrossed, each with his own measure, and the reading of a bill cannot be heard thirty

feet away. A single objection would stop a bill, but the member who at another time might raise one, has a bill of his own to run through and forbears.

A few minutes before twelve, the speaker vacates the chair, and in his absence a resolution of thanks, presented by the leader of the minority, is passed. On resuming the chair, the speaker expresses his gratitude to the House in a short speech eulogizing its career, and with a thump of his gavel declares the House adjourned without day.

The Senate even hurries its pace in the closing hours of a session, and what it generally fails to furnish in the way of excitement is made up once in four years by the brilliant and memorable spectacle of the Inaugural Ceremonies, which begin in the Senate Chamber at noon of March 4th, immediately on the expiration of the preceding Congress.

EDWARD P. LEE.

THE TENDENCY TOWARD THE DISARMAMENT OF CIVILIZED NATIONS.

BY HON. JAMES M. BECK.

NEARLY a century and a quarter ago, some fifty provincial gentlemen, with knee breeches and powdered queues, the representatives of thirteen colonies of the British Crown, which, located on the edge of an unbroken wilderness, were less accessible to civilization than is the Congo now, met in Philadelphia, a country town of about twenty thousand people, and deliberating within the walls of the building which has become to every lover of liberty what Mecca is to the Mussulman or Jerusalem to the Israelite, thence issued to the world a statement of their grievances against the British Crown, and a declaration of their assumption of independent sovereignty. Apart from the statement of grievances, which was only of transient importance, the Declaration, as drafted by the young Virginian farmer-lawyer, contained a declaration of the rights of man more radical and revolutionary than any similar political document, and utterly subversive of adopted theories of government. At the time apparently insignificant, this event has become of overshadowing importance in the affairs of men. It lit a train of human revolt which has slowly and increasingly blasted a pathway of freedom for humanity through the granite rocks of Cæsarism and feudalism. Well might Mirabeau say that, tried by its standard, every government in Europe was divested of its rights. To the masses of men in every part of the world, struggling to escape from the house of bondage and into the promised land, it has been as a pillar of cloud by day and a pillar of fire by night. This is the great fact of which the colossal statue in New York harbor is the beautiful symbol. It would be impossible to estimate properly

its importance, for it can only be determined in its due perspective of time and result. Even in this evening of the nineteenth century we can as little appreciate its true position in history as one can judge the architectural beauty of the Cologne Cathedral by standing on its steps. Let us carry our minds forward in imagination yet another century. Picture to ourselves the greatest republic in the world, whose population will be two hundred millions, and whose territory will reach from the land of the North Star to that of the Southern Cross, reflecting the most splendid and perhaps the culminating civilization of the world, and from such vantage ground we can appreciate that in the preceding two thousand years of human history the three events which may then dominate the entire landscape, even as Mt. Blanc rises above its fellows, are the birth of Christ, the discovery of America, and the Declaration of Independence. The first gave to men a new spirit, which has since leavened humanity; the second, a great continent, whereon, as on a stage, the splendid drama of democracy could be enacted; and the third, a free people, who have demonstrated their capacity to rule themselves. Of each event one can say, in the exalted language of Richter, that it has "lifted empires off their hinges, turned the stream of the centuries out of its channel, and still governs the ages."

It is the unique distinction of the Declaration of Independence that its definition of liberty is so full and ample that time cannot make it obsolete. Other similar events have been but milestones in the march of progress. The Magna Charta and the Petition of Right are no longer sufficient in themselves to satisfy the ripened aspirations of men, but when Jefferson drafted the great Declaration he drew for all mankind, without distinction to race, condition, or creed, a title deed to liberty, so broad and comprehensive that "time cannot wither nor custom stale" its eternal verity. That all men are created equal; that they have a right as the gift of God and independent of government to life, liberty, and the pursuit of happiness; that governments derive their just powers from the consent of the governed; that the people have the inherent right to alter or abolish their government

when it has ceased to answer their necessities, thus constituting the people the first and only estate, are principles which satisfy the highest ideals of liberty. By the much quoted and much misunderstood axiom, that all men are created equal, Mr. Jefferson did not mean either a natural equality or even an equality of natural opportunity, for either would contradict the common observation of men, which discloses as infinite a difference between men and their environments as between the stars. He was simply defining the province of government, and he was contending that politically all men were equal and that the government, therefore, should not give to any man an artificial and law-made advantage over another. "Equal and exact justice to all men, special privileges to none." He therefore proscribed the spirit of caste, and an hereditary monarch or a feudal aristocracy came equally under his anathema. He illustrated his meaning by his last and most significant commentary on the text of the instrument which is inseparably connected with his name. When asked nine days before his death to write a sentiment for the forthcoming fiftieth anniversary of the Declaration—the day of jubilee on which, by a singular coincidence, he was destined to die—he wrote: "The eyes of men are opened and opening to the rights of men. * * * The mass of men are not born with saddles on their backs nor a favored few booted and spurred ready to ride them legitimately by the grace of God." It is to be feared that we have hardly realized as yet his splendid ideal, else why the extraordinary honors recently paid within our country to the representatives of the class who claim, by the right of heredity, "to ride booted and spurred the masses of mankind?" We have witnessed the gentleman in charge of the Spanish princess write circular letters instructing American ladies and gentlemen how to act in the presence of royalty, and we have read his complaint that the Infanta had been insulted and annoyed by the social snobs and tuft-hunters, who insisted upon thrusting themselves into her presence. Eminent foreigners, distinguished for learning and genius, have visited our shores comparatively unnoticed, but the possession of a title has seemed to have the fascination for our countrymen that the candle has

for the moth. These ovations to Spanish grandees and Russian nobles, in so far as they are inspired by considerations of rank, are wrong. Otherwise Mr. Jefferson was wrong, and if he was wrong, then America was wrong. The spirit of caste is not dead nor the race of Tories wholly extinct.

The noblest virtue of the great Declaration was the spirit which impelled it. This was so far in advance of the times as to deserve comment here, and it is to this I desire to direct especial attention. It is obvious that the statement of grievances was not intended for the colonists. No need existed to remind them what they had suffered. The intolerable burdens and wrongs set forth in this terrible indictment of the British Crown had driven its loyal and willing subjects into open rebellion, and had been burned into their recollection as with a red-hot iron. For years they had been the subject of innumerable pamphlets, speeches, petitions, and discussions both in England and America. The time for discussing them with the Mother Country had ceased with the first shot of the embattled farmers at Lexington. The purpose of the Declaration, as clearly set forth in its noble preamble, was to appeal to the justice of the world in support of the necessity of the separation. It commences, "When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another * * * *a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.*" No state paper ever contained a nobler sentiment than this. It assumed that there was a rule of right and wrong and of justice and injustice that regulated the intercourse of nations as well as individuals. It is believed that there was a great human conscience, which, rising higher than the selfish interests and prejudices of nations and races, would approve that which was right and condemn that which was wrong. It felt that this approval was more to be desired than national advantage. It constituted mankind a judge between contending nations, and lest its judgment should temporarily err it established posterity as a court of last resort. It placed the tie of humanity above that of nationality. It solemnly argued the righteousness of the sepa-

ration at the bar of history, solemnly prefixing its statement of grievances with the words: "In proof of this, let facts be submitted to a candid world"; and finally concluded its appeal from the judgment of the moment to that of eternity, in the words: "Appealing to the Supreme Judge of the world for the rectitude of our intentions." The nobility of this appeal becomes more manifest when we regard the conditions of thought at that time. There existed then no law of right or wrong between nations. Mankind was engaged on both sides of the Atlantic in armed conflicts, which succeeded each other with horrible frequency and intensity. While at nominal peace, nations levied commercial warfare against each other by prohibitive tariffs and burdensome legal restrictions. Each government regarded its own selfish interests as the highest and only good. International law existed only in name, and consisted of "a wilderness of single instances." Wars were commenced without provocation —often without a formal declaration,—were conducted without regard to the rights of neutrals and non-combatants, or the commonest dictates of humanity, and were consummated by the wholesale spoliation of territory and the pillaging of galleries, museums, and libraries. The armies of Wellington and Napoleon were only worthy of Alaric or Attila. The only law of nations was that ascribed by the poet to Rob Roy:

> "The good old rule
> Sufficeth them, the simple plan,
> That they should take who have the power,
> And they should keep who can."

Think, for example, of the events which took place in Europe within the succeeding forty years; of the decrees by which France and England each forbade the world to trade with the other, and under cover of which they preyed upon the commerce of the world like hawks upon a dove-cote; of the destruction of the Danish fleet, and the bombardment of Copenhagen by England in advance of any declaration of war and without any provocation; of Napoleon's invasion of neutral territory and the assassination of Duc D'Enghein, of his appropriation of whole countries without regard to the wishes of their

inhabitants by placing Bernandotte on the throne of Sweden, Murat on that of Naples, his brother Louis on that of Holland, Jerome on that of Westphalia, and Joseph on that of Spain. In such an age, with every nation as an Ishmael, there would seem to have been no sentiment of right or wrong or enlightened conscience of man to which an appeal could be made. The sentiment of the Declaration, made out of "a decent respect to the opinions of mankind," is therefore the more striking and commendable. We need not stop to note how splendidly that appeal has been sustained. As the Declaration states, facts were submitted to a candid world, which in an age of force convinced the calm reason of humanity, and when, a century later, the time-stained document, to which our fathers had pledged their lives, their fortunes, and their sacred honors, was brought out on the very spot where it found its being, the representatives of every nation, including that of England herself, were there to testify by their presence their approval of an appeal to the universal conscience of man. The United States has demonstrated its right to separate existence and no discordant protest is now heard against its splendid vindication by humanity.

I am persuaded that the spirit, of which this Declaration was only an expression, is now a new force in humanity. In the one hundred and seventeen intervening years the world has progressed so swiftly towards an enlightened sense of justice that a "decent respect to the opinions of mankind" is a greater power in regulating the intercourse of nations than the combined armies and navies of the world. Each nation does at least in some measure fear to-day the disapproval of humanity and covets as a good the approval of posterity. This respect for public opinion is increasingly causing nations to arbitrate their differences by other means than that wretched survival of barbarism—war. Prior to the nineteenth century, there is hardly an instance when nations settled their grievances other than by a resort to the sword, while during the present century over seventy-five disputes have been adjusted by mediation and arbitration. Of these, twenty-five related to claims for

damages to citizens in one country while in the offending country; in sixteen, disputed boundaries were amicably fixed; and in five the yet more difficult questions of disputed acquisitions of new territory were peacefully decided. In some of these cases the national honor and historical prestige were believed to be involved and found entirely capable of amicable adjustment, namely, the Luxemburg question of 1867, the Crete affair, and the Alabama claims. The incalculable gain to humanity of these peaceful arbitraments can be measured by the stupendous fact that in the wars of the nineteenth century over fifteen thousand millions of dollars have been spent and over five millions of men killed. The mind cannot grasp the magnitude of the figures. The largest single aggregation of human beings is the city of London, and when we reflect that a number of people exceeding the teeming population of the English metropolis have fallen beneath the wheels of the Juggernaut of war, we can appreciate the belief of every thoughtful man that the ordeal of battle is both a crime against humanity and a relic of primitive barbarism. The questions sought to be decided by war have rarely remained adjusted, notwithstanding the imposing and awful demonstration of brute force. Take, for example, the unhappy Rhine provinces. Torn from Germany by France nearly two centuries ago, and entirely Gallicized in that time, yet no statute of limitations availed France when, humiliated and well-nigh annihilated by the armies of Germany, it was obliged to again yield Alsace and Lorraine. Nor is their ownership determined to-day. In the event of a French triumph in the next war, it is safe to assume that the first and imperative condition of peace would be the recovery of Alsace and Lorraine. In the meantime, as if charged with the curse of God, these little provinces are making of Europe an armed camp, compelling twenty-seven millions of men to be ready for a possible death, and driving the nations that support them to inevitable bankruptcy. What the armies of France and Germany, the grandest in organization and equipment that the world has ever known, have thus signally failed to do, namely, to decide definitely a single

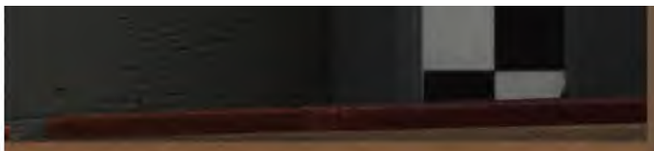
question—and that in itself a comparatively unimportant one—the moral power of a "decent respect to the opinions of mankind" has done without shedding a drop of blood, for in the seventy-five instances of peaceful mediation heretofore alluded to, there was, with but one exception, a loyal and lasting submission to the results of the arbitrament of peace. This power of moral sentiment, sneered at by the unthinking and superficial, can be measured in yet another way. England and America have just arbitrated the question of territorial rights and alleged unlawful seizures, both formally fruitful subjects of war, and have thus afforded an impressive object lesson to humanity which is worth a dozen naval reviews or army mobilizations. Let us suppose that the international court at Paris had decided clearly in favor of Great Britain. England and, indeed, all the world, could not enforce that judgment if the United States refused to obey it. Guarded as we are by two mighty oceans, and with our inexhaustible resources, the combined armies and navies of the world could not conquer us. We are to-day invincible. The power, therefore, that would compel us to loyally accept the decision would be the "decent respect to the opinions of mankind," which would condemn as iniquitous and shameful bad faith in such arbitration.

Herein lies the possibility of a period of perpetual peace. Notwithstanding the fact that to-day men are making preparations in Europe for war on a scale unprecedentedly vast, and, paradoxical as it may therefore seem, I believe that the time will come when men will "beat their swords into plowshares and their spears into pruning-hooks." How many deluges of blood lie between I know not, but I clearly see His bow in the cloud, as a covenant of peace. This may seem the wild dream of a visionary, but we are celebrating in this Columbian year the triumph of a dreamer, and that the greatest civic achievement in history. In existing conditions of thought it is indeed hard to accept the possibility of a day when the mutual hatreds of nations, which exist independent of disputed questions, and are the baneful heritage of the centuries, can be determined otherwise than by war. Apparently they do not admit of arbitration.

But may not this apparent impossibility disappear with the growing sentiment of fraternity in men? Nor am I alone in this opinion. A learned French philosopher, Michel Revon, whose work has recently received the medal of the French Academy, states that unless a general war takes place in Europe within the next ten years the spirit of militarism will lose its power. It is true that the great battle-thinker of our time, Von Moltke, who has carried the organization of armies to a perfection not reached by even Napoleon, has said that "Peace is only a dream, and not even a beautiful dream. War," he adds, "is ordained by God." Nevertheless, even as the power of the Roman Empire was doomed in its hour of unchallenged supremacy when the Prince of Peace lay in his manger at Bethlehem, so I believe the spirit of militarism, now apparently at its highest development, is in reality losing its iron sway on the minds of men. As our own great commander has well said, "Arbitration may not satisfy either nation at the time, but it satisfies the conscience of mankind and must commend itself more and more as a means of adjusting disputes." Indeed, General Grant, better than Bismarck with his "blood and iron," caught the spirit of his time in those words, remembered above his every other utterance, "Let us have peace." However comparatively unnoticed it may have been, the English Parliament has rarely done a nobler or better act than when it unanimously passed, on June 16, 1893, a resolution, authorizing Her Majesty's government to conclude a general treaty with the United States to submit all future questions between the countries to arbitration.

The trouble with our age and preceding ages has been that man has still sufficient of the original barbarian to approve and applaud war. We have not yet learned to take a horizontal view of the commandment, "Thou shalt not kill." The current belief is that "Thou shalt not kill" means "Thou shalt kill" —under given circumstances. We do not content ourselves with applauding a defensive war, which is often inevitable and morally defensible, but we regard as of paramount glory a war of aggression and conquest. That which is a crime between individuals we defend between nations. A single murder we con-

sider the gravest of all offenses and punish accordingly, whether done in the heat of passion or not; but murder by the hundred thousand, cruelly and deliberately planned months in advance, in which the victims are generally the involuntary result of forced drafts we enthusiastically applaud. If we were but honest with ourselves we would admit that we regard it as the most glorious of all pastimes. By the very toys and books we give our children we instill in them the martial ardor. Men go to the tented field, not robed in the black of mourning or the scarlet of the executioner, but gaily attired as for a ball-room. Indeed, as in the night before Waterloo, they have gone in the same habiliments from the dance of life to the dance of death. The strains of music which precede it are not funereal in character but have the festal and triumphant strain of a bridal chorus. Men of generous and Christian instincts rejoice in it as in a profession. The women of our day, rivaling the stern Roman matrons, who awarded life or death to the gladiators with their "*habet* or *non habet*," or emulating the queen of beauty who awarded the wreath to the victorious in the mediæval tournaments, sit in this greater tourney of the nations and reward the victors with their smiles and approbation. They indeed must accept a share of the moral responsibility. It has been well and truthfully stated by that great ethical teacher, Mr. Ruskin, that the prevention of war is within the power of women. He says: "Let but every Christian lady who has conscience toward God, vow that she will mourn, at least outwardly, for His killed creatures. Your praying is useless, and your church-going mere mockery of God, if you have not plain obedience in you enough for this. Let every lady in the upper classes of civilized Europe simply vow that, while any cruel war proceeds she will wear black—a mute's black—with no jewel, no ornament, no excuse for or evasion into prettiness—I tell you again no war would last a week." This may at first impress the hearer as the wild enthusiasm of a visionary, but who could measure the effect upon the human mind of universal mourning while any war proceeds. *The real possibility of war lies in our callous indifference to it.* The whole world was recently thrilled by the loss of Her Majesty's ship



Victoria, with four hundred of her officers and crew, due to an accidental blow of the ram of the Camperdown. Strange paradox! We lament as an accident what we would applaud if done by design. Such a loss of life in war would be so insignificant as hardly to receive notice. For every life lost by this accident a hundred fell at Gettysburg, while in that frightful holocaust of human life, the Russian campaign of 1812, it is estimated that one hundred and twenty-five thousand men perished in battle, one hundred and twenty-three thousand died of hunger and cold, and one hundred and ninety thousand were taken prisoners. The mind cannot grasp the dimensions of such a disaster, and blunted and deadened as our sensibilities are by the alleged necessity of war, this frightful tragedy on the stage of the world has called forth less tears than the ending of Hamlet on the stage of the theatre.

As the nineteenth century draws to its close, the signs are multiplying that humanity is awakening from this nightmare and that the twentieth century will bring the dawn of a better day. Nothing can be more striking to the thoughtful observer than the progress that has been made in the crusade against war. The opinion of mankind is slowly but surely condemning it. It would be interesting, indeed, to trace this gradual development of this peace sentiment. Sporadic attempts at peaceful mediation could be mentioned by the popes in the Middle Ages, by Henry IV. of France, who proposed a universal league of peace in the early part of the seventeenth century, but the first practical attempt to substitute the power of love for that of force was made by William Penn upon the banks of the Delaware, and, curiously enough, the contracting parties were seemingly the most divergent, namely, the peaceful Quakers and the aboriginal savages. Meeting on that delightful shore "that is washed by the Delaware's waters," the illustrious Quaker, to whom be eternal honor, said to the Indian chiefs: "The great God has written His law in our hearts by which we are told and commanded to love and to help and to do good to one another. It is not our custom to use hostile weapons against our fellow-creatures. For which reason

we have come unarmed. Our object is not to do injury but to do good. We have met them in the broad pathway of good faith and good will, so that no advantage can be taken on either side, but all is to be openness, brotherhood, and love, and all are to be treated as of the same flesh and blood." To that those whom we in our arrogance have called savages replied, "While the sun shines and the river runs, we will keep peace with William Penn and his children." This treaty, of which it has been said that it was inscribed not on parchment but on human hearts, was observed with scrupulous fidelity for over seventy years, and Pennsylvania and the City of Brotherly Love (noblest title of any city in the whole world) never heard during that golden period the war-whoop of the savage or the clangor of clashing arms. In that coming day of perpetual peace, the founder of Pennsylvania will be justly regarded as its morning star, heralding in a night of barbarism the approaching dawn. In the eighteenth century Voltaire launched his curse against war in his noble sentiment, "Every European war is a civil war;" while on August 25th, 1790, the orator of the Revolution, Mirabeau, made this prediction as to the influence of democracy upon war: "Perhaps the hour is not far distant when Freedom as absolute sovereign of both worlds will fulfill the wish of the philosophers and relieve mankind from the crime of war, and proclaim eternal peace." These peaceful utterances of men, who, treading the mountain ranges of prophetic observation, descried the dawn, were soon lost sight of in that fearful cataclysm, the French Revolution and the wars of Napoleon, and it was not until the latter was sent to St. Helena, "the mighty somnambulist of a shattered dream" of universal empire, that the still small voice of Peace was again heard. The sovereigns of Austria, Russia, Prussia, and France entered into the Holy Alliance, by which they bound themselves "to aid one another in conformity with Holy Scriptures on every occasion." The primary purpose of the alliance was to compel and maintain peace, but, unfortunately for humanity, it was soon perverted to choke the growing democracy of Europe and throttle freedom. But the idea was in the minds of men, and

was compelling nations, perhaps from the sheer exhaustion of previous wars, to determine their disputes by peaceful methods. At first this was accomplished by the mediation of a friendly sovereign, and dispute after dispute was submitted to a ruler of a neutral state and by him decided. This mediation could not long answer the purposes of peace, for it possessed the obvious objections that it was not always easy to secure a mediator who was disinterested and unbiased or one with sufficient capacity to interpret treaties and national laws. At the Paris congress which put an end to the Crimean War, the first important step was taken to insure peace when, at the instance of the International Peace Society, a clause was inserted in that treaty by which the powers pledged themselves to consider conditions of peace before beginning war; but the method of adjusting the differences, whether by mediation of a friendly sovereign or a court of arbitration, was not mentioned.

A nobler and better course was suggested, and it is to a Philadelphian that the credit is due, and as usual such credit is conspicuously wanting. In March, 1865, Thomas Willing Balch suggested by a public letter that the pending Alabama claims, which seemed incapable of adjustment, and were a source of intense irritation between our country and England, should be decided by a court of arbitration to be composed of one representative of each country and three representatives to be appointed by foreign powers. One can appreciate the advance of public sentiment in the last quarter of a century when I state that Mr. Balch could not for a time persuade a newspaper to even publish his letter, until finally it found a place in the columns of the *New York Tribune*. Mr. Balch also submitted his idea to President Lincoln, who, however, rejected it on the ground that it savored too much of the millennium. Mr. Lincoln added, however, in his quaint way, that "the idea was worth airing." It was not until 1871 that the commissioners from England and the United States signed the treaty at Washington, by which they agreed to submit their cause of quarrel to an international court of arbitration. The appointment of said court, their meeting at Geneva, their subsequent award in favor

of the United States, and the loyal submission to it of Great Britain, constitute a milestone in the march of human progress.

The trend of thought can often be determined by carefully observing the tendencies and purposes of the novels at present attracting public interest. Thus, three novels have appeared in recent years, each of which has the same moral purpose. The fact that these writers differ in nationality, the one a Frenchman, the second a Russian, the third an Austrian, and that the success of each of their works has been pronounced, not only in their own countries but all over the world, would seem to indicate that their high purpose has found a responsive echo in the minds of men. I refer to Tolstoi's "War and Peace," Suttner's "Ground Arms," and Zola's "The Downfall." Each with a most powerful realism, which is one of the characteristics of current fiction, depicts war as it is. Theirs are not the pictures of conflict to which we have been accustomed—not the battle as the general sees it, from the safe vantage ground of a remote hillock, but the red sea of carnage, into which men plunge in the mad frenzy of the nations. War has no glamour for these writers. The dismembered bodies, the mad passions, the hideous excesses, the disregard of the sanctity of life, the pathos of the hospital with its attendant scourge of cholera and typhus, the martyrdom of the battle-field, in which thousands of the innocent expiate the sins of others, the destruction of property, the injury to the advance of the peaceful arts, the fearful aftermath of international prejudices and hatred thereby sown, are the aspects of war which they describe with a terror of description as though their pens were dipped in blood. Their argument is for the universal disarmament of nations, as the only method of inaugurating the period of peace.

It is an interesting fact, and more than a mere coincidence, that contemporary art reveals the same protest against the war spirit. Its tendency is to make war repulsive rather than glorious. It treats it in a cosmopolitan rather than a selfishly national spirit. Between the French battle painters of the beginning and end of our century there is a vast difference in the spirit with which the subject is treated. One who gazes upon the

acres of canvas in the Palace of Versailles will notice that battles are always pictured in a manner to captivate the spectator with the idea of war, and to inflame the martial spirit. The French are always victorious, and the enemy always in retreat. Even in the battle of Yorktown, as depicted in this series, an American will notice with considerable amusement that the foremost figures are Rochambeau and De Grasse, while Washington is crowded into the obscure background. The paintings, however, of Detaille and De Neuville are entirely different in conception and treatment. They not merely represent the ghastly horrors of war, but they treat their countrymen and their enemies with equal fairness. Take, for example, De Neuville's noble picture, "A Parley" (*Un Parliamentaire*). It represents a shell-stormed French village, into which some German officers have entered blindfolded and under the protection of a flag of truce. The German officers are depicted in a manner with which their compatriots could not possibly quarrel. Yet the wicked folly of the war is indicated in a simple peasant woman, who, with her house shattered by the shells and in ruins before her, shakes her clenched fist in maniacal frenzy at these representatives of the invaders. One feels that the painter means no reflection upon the German officers. They are pawns moved upon the chessboard of war by higher powers, but the protest of the shrieking woman is the *weltschmerz*—the groan of the world at this colossal iniquity.

The Russian painter, Verestschagin, has given the subject the same repulsive character. His picture of the battle of Plevna, in which the czar is leisurely seated at a table watching the battle from a distance, gave great offense in Russia. His pictures of the dying and the slain are marked by a terrible fidelity to nature, which some have thought beyond the proper limits of art. Yet the painter should hold the "mirror up to nature," and Verestschagin has served his day and generation well by awakening with his brush the indignation of men at the frightful results of the battle.

Let me finally and very briefly state a few of the many considerations which, in my judgment, inevitably tend to peace.

Each is deserving of far more careful treatment than is possible at present, and opens a vista of indefinite and glorious possibilities which it will repay any one to consider. Be it my task simply to summarize them in the shortest way.

1. The spirit of democracy will lessen the possibility of war. Nothing can be more sure than its rising tide. Its stride is that of a seven-leagued giant. The masses of the people, who are the real sufferers from war, ordinarily do not cause it, while, on the contrary, the greatest number of armed conflicts have been due to the arrogance and pride or personal selfishness of rulers. Take, for example, the Franco-Prussian war. It is well known that Napoleon the Third, sick both in mind and body, did not desire the conflict, but, on the contrary, was seriously meditating but twelve months before it opened, a proposal looking to the mutual disarmament of Europe and the constitution of an international court of arbitration. Unhappily for France, his self-willed and headstrong empress desired the war in the interests of the Napoleonic dynasty, and at her instigation, added to the self-confessed alteration of dispatches by Bismarck, there was precipitated that short but terrible conflict which terminated in the "terrible year" and the partial destruction of Paris. Undoubtedly this war could not have been commenced had it not received a popular support from the French people, but the bad counsel of the empress and her immediate advisers was the stick that started the avalanche. The unhappy queen of fashion, when her only son fell beneath a Zulu spear, must have keenly felt the immeasurable sorrow that her foolish ambition had in part inflicted upon France. With the advance of parliamentary government the day is not far distant when no ruler can declare war without the consent of the people, and that will materially lessen such conflicts.

2. The advance of civilization has increased the sense of brotherhood of men by facilitating the communication of ideas, and has made possible a public opinion strong enough to repress these and other evils. The newspaper which we each morning pick from our doorsteps, acquaints us with the happenings of the world during the last twenty-four hours, and creates an interest

on our part in the general welfare of humanity that was impossible a century ago. The telegraph has brought all men as under one roof, and the cable enables Gresham and Gladstone to discuss questions of mutual interest almost as freely as if they were sitting at the same table. The steamship which can cross the Atlantic in five days and seventeen hours, and the railroad train which can carry passengers from New York to San Francisco in five days, cause the mingling of men and their mutual intercourse until by friendly contact and the realization of their mutual helpfulness their national prejudices and hatreds have been forgotten. Hence have arisen the great international expositions, commencing with the one in London in 1851 and terminating with the present at Chicago. Had the Prince Consort done nothing more for humanity than institute these friendly competitions of brain and muscle he would have deserved his beautiful monument at Hyde Park. These peaceful Olympiads of industry cannot help but weaken the inborn hatreds of different races, which are in the least analysis the profound and underlying causes of war.

3. The development of means of destruction will serve to prevent war. Speaking on the army bill a few years ago, Prince Bismarck stated that to the next war between France and Germany the last would be but child's play. He further added that it would be a war of exceptional ferocity, and fittingly borrowing a figure from the shambles, he said that on the part of the victor it would be a case of "bleeding white." This metaphor relates to the habit of butchers drawing the last drop of blood from certain kinds of cattle to make their flesh white. It is undoubtedly true that since the last war cannon and rifles have been so developed that unless some sufficient armor can be found for the human body the mortality would be unexampled. I believe it was General Sheridan who, commenting on this fact in an address at West Point, said that the next war would be one of annihilation. Undoubtedly this fact contributes materially to the present peace of Europe. Europe is to-day afraid to engage in war, while the democratic masses are sullenly refusing to be "food for powder" in the interest of their rulers.

4. The United States, I firmly believe, will compel peace at no distant day, and it will do this without any intention on her part. Here is a fact whose importance has been almost overlooked. The governments of Europe are to-day bankrupt under great debts, whose payment is impossible. Military service is well-nigh universal, and out of every five men one is constantly in arms. It has been estimated that it takes the work of one farmer or manual laborer to sustain each soldier in the army, and thus two men out of every five are unnecessarily drawn from the productive forces of the nations. The military burdens, together with past debts, are so crushing that economic forces are paralyzed and the masses are in a state of revolt. With land enhanced in price, with raw materials difficult of access, weighed down by the burdens of a military and civil list, the time is not far distant when these nations cannot compete with the United States unless they throw off such burdens. With our own debt reduced by marvelous recuperation to but little over $500,000,000, with the certainty that in the next quarter of a century both it and our pension list will be practically obliterated, with an abundance of cheap land, with unrivaled and inexhaustible natural resources, with the most inventive, intelligent, and productive labor in the world, the economic primacy of the world will be ours. The desire of America is now to enter the markets of the world and challenge all comers. It requires no knowledge of political economy to state that in such competition the decrepit and bankrupt nations of the continent, staggering and groaning under the most frightful burden of military power the world has ever known, must inevitably be driven to the wall unless they disarm. It is my firm belief, therefore, that America is destined to be not simply the liberator but the pacificator of civilization.

5. To this last consideration perhaps should be added the thought, not of an Anglo-American *reunion*, advocated by Mr. Andrew Carnegie in the *North American Review* for June, 1893, but of an Anglo-American *alliance* in the interests of peace. They are the only two countries upon which the sun does not set, and which are beyond question unconquerable by any power

that could be sent against them. Together they unite, without counting their colonial dependencies, an English-speaking nation numbering to-day over one hundred millions of people, and destined within fifty years to number two hundred millions. While each is an amalgam of other races—and happily so, as mixed races have ever been the strongest—yet the main stock of each nation is Teutonic in origin. They have in common the same language, literature, and law. Should these two nations join hands in the interests of peace and say—

> "For Christian shame, put by this barbarous brawl.
> He that stirs next to carve for his own rage
> Holds his soul light. He dies upon his motion,"

their influence must be a great and beneficent one. These two are the greatest competitors for the world's industrial supremacy, and they will compel by their own comparative freedom from governmental burdens a like exemption on the part of other countries.

6. We would omit the greatest consideration that justifies the hope of peace did we not mention Christianity. I mean by that no ecclesiastical organization, but the impulse of forbearance, self-sacrifice, and love that the world owes to the great Martyr, and which to-day animates all religions, Jew or Gentile, Protestant or Catholic. It is this that gives force and effect to the "decent respect to the opinions of mankind." At the instance of the Carpenters' Company, and on motion of the honored "Father of the Centennials," Colonel Peyton, it was unanimously resolved at the meeting of the one hundred and seventeenth anniversary of the Declaration of Independence in Philadelphia, that "We deem it both proper and appropriate that the citizens of the United States, regardless of nationality, religious sect or denomination, should, in the interest of peace, fraternity, and future prosperity, suggest and commend a meeting of the human family in the city of Jerusalem, to give thanks and praise to God, the Father of all, and so appropriately celebrate the closing of the nineteenth and the opening of the twentieth century of the Christian era."

Let us pray God that this noble and beneficent purpose, so

fraught with good for humanity, may be carried out. Where He walked, proclaiming "Peace on earth, good-will to man," there let the nations meet and take a high resolve to obey His imperative mandate, uttered in hour of supremest need, when Peter unsheathed his sword in the holiest cause that ever inspired a man to action, "Put up again thy sword into his place, for all they that take the sword shall perish with the sword."

I know no fitter place in which to inaugurate this movement than Philadelphia, where Penn, by precept and example, taught the power of love, and none in which with greater propriety it can be consummated than in Jerusalem, where died the Prince of Peace. In such holy convocation of the human family, perhaps the first step towards a realization of the "parliament of man and the federation of the world," let His voice, still and small, yet mightier than the tempest or the earthquake, rise above the passionate quarrels of men!

JAMES M. BECK.

THE FREE SCHOOL SYSTEM.

BY CLARA DIXON COWELL.

INQUIRY TO BE PURSUED: *Is the free school system based upon principles of absolute justice? If not, does it receive relative justification from congruity with the present degree of general social development?*

The language "free school system" I purpose to use in the ordinary sense, of schools established by governmental authority and supported by taxation, although confusion must ultimately arise from the current indiscriminate application of the adjective *free* to things and conditions by which meanings of the word directly adverse to one another are implied, as free speech, free government, free trade, free postal delivery, free press, free library.

The law of equal freedom formulated by Herbert Spencer, viz., Every man is free to do that which he wills provided he infringes not the equal freedom of any other man, is a highly generalized statement of the principle of absolute justice. Of the authority of this formula Spencer says: ("Justice," Section 35), ". . . Though, under one aspect, it is an immediate dictum of the human consciousness after it has been subject to the discipline of prolonged social life, it is, under another aspect, a belief deducible from the conditions to be fulfilled, firstly, for the maintenance of life at large, and secondly, for the maintenance of social life.

"Examination of the facts has shown it to be a fundamental law, by conformity to which life has evolved from its lowest up to its highest forms, that each adult individual shall take the consequences of its own nature and actions: survival of the fittest being the result. And the necessary implication is an assertion of that full liberty to act which forms the positive

element in the formula of justice; since, without full liberty to act, the relation between conduct and consequence cannot be maintained. Various examples have made clear the conclusion, manifest in theory, that among gregarious creatures this freedom of each to act has to be restricted; since if it is unrestricted there must arise such clashing of actions as prevents the gregariousness. . . .

"These two laws, holding, the one of all creatures and the other of social creatures, and the display of which is clearer in proportion as the evolution is higher, find their last and fullest sphere of manifestation in human societies. . . .

"So that we have not only the reasons above given for concluding that this *a priori* belief has its origin in the experiences of the race, but we are enabled to affiliate it on the experiences of living creatures at large, and to perceive that it is but a conscious response to certain necessary relations in the order of nature."

From this fundamental principle of absolute justice it is a corollary that individuals engaged in unaggressive activities may rightfully claim the results of such activities. They may either personally defend this claim against invaders, or engage the services of others in its defense, but any power which compels the engaging and rewarding of such services is itself invasive. Whatever its ostensible motive, a power which forcibly deprives an individual of his property, or any share of it, is anti-social, violating the elementary law of society. The free-school system, which derives its support from compulsory taxation, cannot turn for justification to that law of which its existence is an infraction.

If it were required to ascertain whether the lines bounding two plane figures, the one equilateral the other triangular, coincide, the solution could be reached by very simple methods. Inspection of mental representations of the figures, inspection of the figures themselves or application of their surfaces to each other would each of itself suffice to establish the truth by direct intuition. The opening part of this inquiry is analogous in simplicity to such a problem, and the negative answer is reached

unerringly by the simplest laws of ratiocination. Were it required to compute the length of time that must elapse before a certain moving body would come into contact with a certain body at rest in its path, more complex operations would be involved, including accurate calculations of the effects of all impelling, resisting, and collateral forces. The second inquiry is analogous in complexity to such a problem.

The history of civilization is a history of gradually decreasing governmental operations. Between the unquestioned authority of powers which were absolute over life, liberty and property; which arranged for the individual his social, religious, industrial and domestic life, powers rendered possible by the general belief in their divine origin; to a government which, at least in theory, derives its powers from the consent of the governed, centuries of patient struggle and slow growth intervened. Although there have been local or temporary reactions, the general tendency has been to enlarge the sphere of the individual and narrow that of the state. A society progressing from the homogeneously pursued industries of savage life, in which each adult man is hunter, fisher and warrior, with correspondingly homogeneous intellectual activities, to the highly complex industrial and intellectual life of the present, must have enough mobility in its forms of organization to render them adaptable to the increasing heterogeneity, or must occasionally loose itself from ancient forms and undertake re-organization. No considerable society ever understood the law of its own growth. To have done so and to have provided a great degree of organic elasticity would have been, in a primitive society, itself a transcending of that law. Thus, instead of finding social contracts of such nature that they serve the purposes of organization for thousands of years through various stages of development, we find that institutions never escape re-adjustment. This general tendency toward restriction of the sphere of government is more pronounced in more advanced societies. When such societies react toward increase of the state's functions along some special line, special necessities are usually pleaded.

There are two classes of believers in and advocates of the free

school system. The genuinely reactionary class holds the doctrine that society is an organism in which it is the duty of each unit to share the burdens of the other units. Let us examine some of the implications of this sentiment:

Suppose a society, A, B, C, D, E, F, in which A, B, and C, D, form matrimonial alliances. Then E and F, though they were without power to prevent the marriages, become jointly responsible with the contracting persons for the education of the children that may result from these unions. Should they refuse to recognize the obligation thus thrust upon them, A, B, C and D, zealous to compel the performance of duties involving benefits to themselves, forcibly deprive E and F of a part of their effects, some share of which may be devoted to the education of the children and the remainder to the reimbursement of A, B, C and D for the time and labor spent in securing their neighbors' property. If this principle of vicarious responsibility be accepted, no logical limit to its application can be drawn. It tends directly toward most intolerable despotism. If we substitute the will of a majority, imbued with such ideas, for the Incas who ruled over ancient Peru and regulated for their subjects life in general and life in detail, we obtain an analogous despotism, benevolent in intention but working out effects subversive of the social welfare meant to be promoted.

By far the more numerous class of advocates of the free school system is that which urges its claims upon more rationalistic grounds. This is the class which pleads special necessity as its excuse for endorsing the maintenance of a governmental function which it would otherwise condemn as illegitimate. Thinkers of this class point out that widespread illiteracy is a menace to social security and stability, and that large numbers of people are either in such poverty that they cannot pay for the school training of their offspring, or so indifferent to the advantages of education that they will incur no expense to secure them for their children. They assume the potency of the free school system as a defensive appliance, and bring forward triumphantly as inductive evidence in verification of their positions, statistics of decrease of illiteracy following the

establishment of such institutions in certain localities, concomitant with alleged evidences of material prosperity and social stability. Let us examine in detail these perceptions and assumptions. Is it true that widespread illiteracy is a menace to social security and stability?

What are the purposes of association? Primarily, warfare, aggressive or defensive, industrial coöperation, or companionship. All or any of these purposes may serve to establish a society. Afterward it finds need of appliances for preventing aggressions of its members against each other. What, then, may threaten the dissolution of a society? First, decline of the military spirit or of knowledge of modern warfare, among people menaced by external enemies. The knowledge of warfare may be advanced by education, but the military spirit is subdued by it so that under its influence, warfare becomes an art, practiced for utility and not for glory. Second, any causes tending toward industrial disintegration, as inadequate protection in the possession of property and the fulfillment of contracts, restrictions and exactions bearing with unequal weight upon different portions of society or burdensome regulations pressing heavily on all. Under certain conditions a high degree of industrial integration may co-exist with illiteracy among the laborers. These conditions are fulfilled by the division of a society into ruling classes and serving classes. Its toilers are never machines, doing the will of their masters; homogeneous in intellect and often even in appearance, like sheep in a flock or peas in a pod. To the maintenance of such industrial organization the introduction of letters is not a safeguard, but a menace. It is only in an approximately free society, in which there has been attempted some degree of equalization of burdens and powers that learning contributes to industrial cohesiveness.

Reasoning *a priori* it seems evident that a society held together simply by desire for companionship, in which there were broadly contrasted degrees of culture—large numbers remaining ignorant—would tend to separate into classes and ultimately to re-arrange itself into groups organized on a basis of class sympathy. But other interests have always united with this in

associations of peoples advanced enough for the introduction of letters, so that the rise of classes, instead of dividing aggregations into smaller groups, geographically separate, has resulted in establishing dominant classes and serving classes in unbroken societies.

When, in addition to organic social experiences and individual experiences, a summing-up of social experience is transmitted through literature and made generally accessible to a relatively free people by widely diffused learning, the hope for development of high ideals of justice—resulting in decreasing numbers and heinousness of individual acts of aggression and in continuous and increasing social harmony—rests upon broader foundations than among the unanchored impulses of an unlettered people.

From this analysis it seems obvious that illiteracy is an element of danger to the stability of a society in which the institutions are molded in some degree by the popular will. It is also true that large numbers of people cannot afford to pay for the education of their children. But, admitting these premises, the conclusion that the free school system is a social necessity by no means logically follows. Neither has its efficacy been established empirically; nor could any general law estimating its value have been formulated from the only sort of evidence available. Social reformers too often treat effects as if they could have but one cause. But the truth is that a number of causes may work, uncombined, toward the same end, or may enter into a composition producing results that could not have been foretold and from which the finest analyst cannot possibly determine the number, amounts and conditions of the separate elements entering into the product. The agitation which must precede the establishment of free schools is itself an indication that the public mind has received an impulse in the direction of wider education which if it found no outlet through this channel would soon make others for itself. Another popular error is the assumption that a cause can have but one effect; that if, for instance, the free school system result in a decrease of the average illiteracy, no collateral results of a less desirable nature need be feared.

An institution may be adapted to the needs of one stage of social development and entirely unsuited to those of another, but a free school system is ill-adapted to the needs of any social state. It is only to the militant type of society that a uniform level of national character is found serviceable. Such a society must be subject to the dictations of a strong central power, and this power need not establish national schools to teach the sole lesson indispensable to its purpose, the lesson of obedience.

The establishment of a free school system is a tacit confession of inability to cope with the greater, more complex problem in which it is embraced; that of industrial equity. But, once established, its character as a makeshift, a provisional arrangement pending economic readjustments is lost sight of, and one who questions its wisdom or its permanence hazards the incurring of popular indignation. Those persons whose simultaneous recognition of the poverty of the masses and the menace to social welfare that lies in ignorance results in free school systems, fail to recognize the greater danger to society that lurks in hunger and nakedness and homelessness. If they were logical they would not only educate the people at public expense; they would also feed, clothe and house them, like consistent communists. Having left the greater danger to be met by chance or private beneficence, the less might congruously have been trusted to the same fortune.

All progress involves changes from indefiniteness to definiteness, from homogeneity to heterogeneity. An institution which tends to reverse this order is not only unprogressive, it is retrogressive. Such an institution is the free school system. It is lifted above the necessity for constant development of new excellences; it fears no competitor; it may foster barbaric methods, it may crystallize into utter immobility and fall behind all that is vital and vigorous in its age; no matter; it rests secure, the *protégé* of the state. It must of necessity be ponderous, unwieldy, slow-moving. And such vast numbers of schools conducted upon similar plans, with uniform standards of excellence, influencing the conduct of multitudes of children and compelling each of them to pursue the studies adopted for his class, must

tend to produce uniformity in thought and action, to mold a national nature. Were this tendency not defeated by numerous counter influences we might reasonably expect to see the cloth factories of a state-educated nation needing but a single dyeing-vat each, the inhabitants arrayed in costumes exactly similar in cut and color and presenting as little diversity in intellect and in character as in dress.

No sufficient justification has yet appeared for supporting by taxation a system of public schools. It is sometimes assumed, in defense of taxation in general, that a tacit contract exists between the citizen and the state in a representative government, and that the casting of a ballot is equivalent to signing an article of agreement to abide by the decisions of the selected power. This is a specious fiction. Of a minor association, as a temperance club, one may become a member or not, as he wills; and afterward, if he find the action of a majority of the membership tyrannical, he is at liberty to withdraw from the society without joining another or changing his place of residence. But from membership in some governmental association there is no escape if one would live on the habitable parts of the globe, and from its decisions, whether despotic or not, there is no appeal. Under such circumstances the use of the ballot may have no more extraneous significance than a stone from the street found in possession of a peaceful pedestrian who has been attacked by a dog. Rather than the voluntary pledge of a free man it may be the forlorn hope of a defenseless one. If a man, compelled to choose among highwaymen, give his preference to the one most likely to show mercy, he is not, therefore, consenting to be robbed. Moreover, large numbers of the taxed are not voters at all. The theory that the relation between the individual and the state is one of contract makes the tax appear to be a voluntary contribution. If it were, the basic objection to the free school system as it really is would have no actual existence; rational criticisms of that system would then change their character and become similar to those of a charity soup-kitchen supported by the offerings of benevolent persons. But the relation between the individual and the state is not one



of contract, as we have seen, and taxes are not voluntary contributions. Considered impersonally, and most leniently, taxation is a clumsy contrivance for maintaining the law of equal freedom; a contrivance which attests its own stupidity by breaking the law in order to maintain the law. But, supposing the means to be justified by the end, no warrant is furnished for transcending this limit and imposing burdens not demanded by apparent social necessity. Viewed subjectively, that is, from the standpoint of the individual, taxation appears variously: as an expensive means of obtaining cheap benefits; as a cunning device for securing advantages at others' expense—this to the laborer, who, paying taxes indirectly, does not understand that he pays them at all—as aggression of the powerful upon the powerless, against which protest would be unavailing.

We have found that the free school system is not based upon principles of absolute justice and that its maintenance is not defensible on grounds of social expediency. From this it appears that the mistakes of Jews, Catholics, Protestants, and Secularists, who alternately complain of abuses in the free school system, lie in not perceiving that "The thing itself is the abuse."

CLARA DIXON COWELL.

THE GOSPEL OF BIMETALLISM.

BY F. J. SCOTT.

MAY it please the reader to be reminded of a few facts and then to reason from them.

FACTS OF HISTORY.

1. Gold and silver have together been the coin metals of the world since history records anything.

2. For many centuries all civilized nations have endeavored by law to fix a relationship of value, and since the fifteenth century a definite weight and fineness for all gold and silver coins. Until 1873 these relations had become fixed and nearly invariable throughout the world; and both were equally bases for the issue of national and other bonds, of bank paper money, and other credit currency.

3. That the great variations of production of each of these metals at different periods have not disturbed the business exchanges of the world which have been performed with both of them; for when the silver mines of Peru and Mexico were adding an unprecedented volume to the silver of the world the increase stimulated commerce but did not materially affect the value of the coin relatively to gold; and when the unprecedented increase in gold production from California, Australia, and Idaho from 1849 to 1865 was pouring a flood of gold into the commerce of the world, gold coins did not materially depreciate in value, nor silver increase, and both continued to be valued as before, relatively to each other; but both decreased in value relatively to commodities. Later on when the Comstock mines, from 1865 to 1874, bid fair to make a similar increase in silver, no fall ensued in the value of silver as metal, and the United States silver dollar in 1873 was worth three per cent more than its mate in gold.

4. Previous to 1873 the laws of all the great commercial nations made gold and silver interchangeable at fixed proportions, some making gold the national unit and some silver, but the greater part silver. The free coinage of only one of these metals obtained in one country, and of both metals in another country, so as to make the privileges of the two about equal in the world at large; and while the principle of bimetallism was not established in theory, the legal ratios of the coins were—in fact, the ratio of the commercial value of the two metals, uncoined, throughout the world.

5. The lessening value of silver began in 1873, when two among the greatest of commercial nations, the United States and Germany, having changed their unit of currency from silver to gold, gave notice to the commercial world that silver might not in the future be as fully legalized as it always had been up to that time, as a standard basic money. France, Belgium, Italy, and Switzerland in their relation as "The Latin Union," in consequence of the action of the United States and Germany, deemed it prudent to stop the free coinage of silver. Thus legislation in the United States and Germany forced other countries to legislative acts increasing the potency of gold, and decreasing that of silver.

This legislation alone seems to have produced the derangement we now see. Reversal of that legislation by the United States would therefore seem to be the logical beginning of a restoration of the value of silver.

FACTS OF PHILOSOPHY.

1. The average production and average value of any two commodities is more equable than the average product or average value of either one.

Wheat and corn are the most valuable of the staple grains of the United States. If debts were payable in either, on the ratio of 50 lbs. of wheat to 100 lbs. of corn, creditors and debtors would be aware that both grains were liable to fluctuate in production and in demand so that the prudent business man would find it safer to have an option to pay in either, than to bind himself to one only. If the creditor, by legislation, could make

debts payable in one grain only, that grain would go up in price and the other would go down, no matter which was favored. And if any community were convinced that such a law were to be enforced at some future time, the effect would follow, though not perhaps so rapidly. But so long as an option remains, the law of averages in production and demand operates to make the double standard more uniform than the single one. Assuredly, if the production of both increases more rapidly than the demand, both may fall in value relatively to other commodities, but it would not take more of both to pay a debt, and *vice versa*. This is a form of fluctuation in the value of money, and all other commodities, that no intelligent government assumes to guard against. A barrel of flour is no more bought with the same number of gold dollars at different times than it is with the same number of silver dollars. The value of money is measured always by what it will buy, and fluctuates continually. The only influence law has in the matter is to ordain what metals shall be received as money, to coin those metals, to guarantée the weight and fineness of the coins, and there to leave them.

Now let us suppose that wheat and corn had been used as a medium of exchange for untold centuries, measured by government measures and proportioned in value as two to one, by law, all over the world. Then suppose that several nations, large consumers of both, should make laws forbidding the same rate of transportation for corn as for wheat, deny its use except in very small amounts, in payment of debts, and thus indicate its abandonment for a part of the use it before had. Would not everybody see that wheat would go up on the strength of its sole use for even that one purpose, and that corn would drop a little by reason of its disuse for one purpose?

2. It is an axiom that the value of all things which have commercial value is determined by use, and by the increase or decrease of the cost or rapidity of production relatively to use.

Evidently if governments, which establish by law what is money and legal tender in payment of debts, make a law the effect of which is to diminish the potency of one kind of metal coin money, and to augment the use and potency of another

kind, the law is a controlling factor to change the relative and positive value of both metals.

It is estimated that nine tenths of all the gold and silver commercially accessible in the world is in the forms of coin. The one twentieth, more or less, not coined, and used for ornament and architectural decoration is altogether out of market after it is thus used, and rarely gets back into commerce; so that the commercial product of both metals is mostly absorbed by the coin use. The fraction demanded for decorative purposes is in fact a demand and lien upon the coin stock of the world.

Gold is coined free on presentation of the metal at the mints. Silver is denied free coinage. Legislation is all pointed to make an added potency for gold and a diminished potency for silver. Gold rises and silver falls. Free coinage and equal legal potency are for the two metals what equal rates of transportation are for produce. Is it not evident that legislation, and principally that of the United States, has been the cause of the fall of silver and the rise of gold?

Suppose that corn had been obstructed in transportation by an unequal rate for quite a number of years, and in consequence has fallen in value at the farm; and wheat has an added value equal to the decline on corn; and after this result had been willfully brought about by dealers in wheat, that these dealers should fill the air with denunciations of corn as a bulky and vulgar food, and no longer to be used in payment of debts, and after the price should drop again by reason of such influences, the same dealers should suggest that as corn is not worth as much as formerly the government should make a new bushel measure for corn so that they shall have a half more to a bushel. Would that be wise legislation? Would it not be a changing of weights and measures for the benefit of one class, and fraud towards all others? Would it not suggest legislation in the other direction, viz.—to stop the unequal rate of transportation, and to disseminate the truth with regard to the essentially constant and equal value of the great twin products? Would it not be wise to review the laws and undo the legislation which caused such mischief?

To reach honest bimetallism the road is direct, clear, and logical. All talks of maintaining the "parity" of the two metals while knocking out the props from under one of them is based on ignorance of the philosophy of money, or mercenary interest in gold and bonds.

The first mistake in United States legislation on this subject was made in 1873 when the gold dollar was substituted for silver as the unit of our currency; the silver dollar having been the unit from the time of Washington down to that time. Had the double or combination unit, now known as the bimetallic unit, been adopted then, the basis would have been a safe one. Or, later, had the coinage of silver remained free as that of gold, the theoretical change of unit might not have affected the relative value of the metals. But when in 1873 the equality of rights to the mints was denied, bimetallism received a stab from which it can only recover by a repeal of the legislation which inaugurated the war on silver; by the establishment of the bimetallic unit; and by the restoration of free coinage alike to both metals. This is the "straight and narrow way," the only logical way to a realization of honest bimetallism, and the restoration of the value and the parity of silver.

Is it not reasonable to suppose that a reversal of the legislation which brought about this result may restore the value more rapidly than it was lost?

We want honest dollars. The present gold dollars are not honest dollars. They are decidly dishonest dollars. Within the past twenty years they have increased in value out of the loss on silver. The restoration of bimetallism theoretically and practically is to preserve the old yard stick of value against the revolutionists who have added 40 per cent to the value of gold by the legislation of the past twenty years.

The gold dollar is a dishonest dollar to the extent that the metal in it exceeds the mean value of gold and silver. The silver dollar is a dishonest dollar to the extent that the metal in it is less in value than the mean value of gold and silver.

Our government is at last brought face to face with the danger to itself from the abnormal demand for gold which our mone-

tary legislation has been the principal agent in producing. All the nations, we hear, are scrambling for gold. It has risen constantly in value. It is rising now, and the failure to restore the "parity" of the two metals by the restoration of honest bimetallism will be the signal for a demand for gold that will send our secretary to be a borrower, a beggar for money, and a manufacturer of debt for the country that refuses to use its own resources.

SELL GOLD WHEN IT IS HIGH.

Permit me to ask: When do we like best to let our wheat, cotton, corn, and pork fly the country? When they bring a high price or a low price? Was it a better policy to sell Lake Shore stock in Europe when it brought $1.40 or when down to 60 cents? When anything is away up in price is a good time to let it go, is it not, whether wheat, cotton, corn, or gold? Gold is high priced now: very high—has not been worth so much for many years. Let us sell it and get for it something, anything we want, in exchange.

If the United States takes a bold initiative on this question and makes silver coinage free, France and England will probably find they have some gold to sell while it is away up. Germany is in a fair way to be cured of her government's mania for the gold basis. Her farmers and manufacturers with great earnestness are pressing to have silver restored to its old equal place with gold; and they point to the steady misfortunes that have followed its demonetization as evidence of its folly. England in her Indian Empire, with her 240,000,000 people, is maintaining the silver basis while only her 40,000,000 at home have the gold basis. Make silver coinage free and it will raise the price of silver all over the world. Dutch, English, French, and American coin speculators will hasten to buy silver while it is low priced, with gold which is high priced. That will lower gold as the process goes on and raise silver—*relatively to each other*, I mean—the *joint value of the two remaining the same.*

Our country can turn back the tide of silver money depreciation by exactly the same process that Germany and the united bondholder classes of the great cities have produced it, viz.: by

making it the interest of hoarders of gold to sell in such volumes as to drop its price. The monometallists have been just twenty years bearing silver. The United States is in a condition to turn the tables on them—to sell high and buy cheap. It is a battle of the democracies of this country, France, and the world against the allied bond owners of the great cities. Compromises are out of order.

Let our government use its influence to place silver honestly on an equality with gold for use in the United States alone. Free coinage and equal legal tender potency for silver would be the first step to check the use of gold and the scramble for it. Increase the use and value of silver and you decrease the necessity for gold. The increased demand for gold is the result of legislation undermining the former potency of silver. The enactment of the bimetallic unit and free coinage of silver will bring down the value of gold and raise the value of silver. They will meet half way. It has taken twenty years to depreciate silver to its present price. The length of time it may take to bring back the old parity in other parts of the world cannot be foreseen, but the policy of honest bimetallism would be immediate and most healthy in its effects on all productive industries in our own country. The writer also believes that the moment the United States adopts the double standard, discussion will be renewed among all civilized nations which will result in the universal adoption of bimetallism. A recent speech of Lord Balfour's, late prime minister of England, indicates clearly that other nations are hoping for our action in this direction. Surely we who have a stronger interest than any other nation in sustaining the value of silver, ought to take the initiative in our own behalf. An international monetary conference can only be asked for with self-respect when the United States shall have shown other nations that she has the courage to act for herself in her own interest before asking their cooperation to help her help herself.

It is a trite old adage that "He who would be free himself must strike the blow." But we have appeared in three international monetary conferences as a party self-maimed; commit-

ted to an illogical policy of duplicity; asking help to steer towards a harbor of financial safety, after having sailed away from it of our own volition, and while continuing to sail away from it. No ability of our delegates, exceptionally able as they were, could extricate our government from the humiliating position they occupied in such conferences. American ears have tingled with shame to hear from foreign representatives, "If your government believes in bimetallism why does not your government vote for it, and adopt it? None so much interested as yourselves in doing it."

A very lucid writer (Charles Harrison, deceased), has illustrated the question of a bimetallic basis in this quaint way: "We cannot understand the idea of acknowledging that a man should have two feet and then try to stand all the time on one foot; or, giving one foot rights and privileges not accorded to the other; or, not treating them as equals; or, contending that only one foot should be recognized, and the other employed as a subsidiary; or, the many other devices which may be resorted to to deny equal rights and powers to the two. Admitted that when a man is walking or running he is first on one foot and then on the other, he still finds his balance and solidity in having the two feet and those feet equal. He does not want one made of cork, or otherwise a subsidiary foot if he wants to either walk or run." I will add that our everyday experience that the right hand performs services that the left hand does not do so well, would not be a good reason for dispensing with the latter. Yet this is precisely what our own legislation has done and perpetuated against bimetallism. We began the process of slowly paralyzing one arm and one leg of the financial system, and have been engaged in this new form of hari-kari until, alarmed at the effect of our own work, we have appointed delegates to three International Congresses to ask other governments to help us to stop maiming ourselves!

Since the people in the platforms of the two great national parties have over and over again distinctly given their adhesion to the principle of bimetallism, and state party conventions have done the same thing with even more distinctness, and a

third party has arisen bearing this issue to the front, and the president (elected by reason of the strength of this third party) has proclaimed himself a bimetallist, and desirous of maintaining the parity of the two metals, why is it not the logical, the brave, the wise, the politic, the honest thing for the United States Congress to adopt the bimetallic basis, enact equal rights of free coinage for the two royal metals, and *then* send greeting to foreign powers, *then* ask that the principle be recognized and made universal in theory and law, as it has been in fact for a thousand years?

When we fix the principle of bimetallism in our organic law, we may then leave the details of coinage to international conferences and to officers of mints, who have often little need and little knowledge of the great problems of political economy that affect the common weal of mankind, and which are involved in financial questions affecting the equality of rights and the stability of commerce throughout the world.

F. J. SCOTT.

THE SINGLE TAX IN ITS RELATION TO SOCIALISM.

BY CHARLES E. BENTON.

"I HAVE not so surely foreseen that any Cossack or Chippeway would come to disturb the honest and simple commonwealth, as that some monster institution would at length embrace and crush its free members in its scaly folds; for it is not to be forgotten, that while the law holds fast the thief and murderer, it lets itself go free."—*Thoreau.*

A prophet indeed was this hermit of Walden who thus a half century ago foresaw dangers which threaten the nation. Do we not, even now, feel that the free members are already struggling in the scaly folds of possibly more than one monster, while yet others strive to obtain possession? It is a crisis. The safety of all rests upon the rights of the free members. If the freedom of the members is lost the freedom of the people is lost.

In considering this subject it may be well to begin by defining terms, as much wasteful dispute might be avoided by the use of words with well considered and definite meanings. In regard to the single tax this is the more easy, for, though it is comparatively new in its claim for consideration as a system of political economy, still the question of what it is, is not shrouded in any indefinable vagueness, but stands out as clear cut as the crystalline sentences of the Declaration of Independence. I briefly defined it in a former article in this magazine. [See "Explanation of the Single Tax" in April number, 1893.—EDITOR.]

"By the single tax we mean the raising of all public revenues, whether for national, state, county, or town purposes, by a single tax upon land values irrespective of improvements. And to that end we favor the abolition of all other taxation, either direct or indirect."

This is perfectly clear in its meaning, and I doubt not will be agreed to by every single tax advocate in the world. The single tax does not mean to tax land by the acre (though a few have gravely asserted it), nor in fact to tax land at all, much less to confiscate it, as is maintained by some over-combative writers, of whom one must conclude that their reading on the subject is confined to the proof-sheets of their own articles. The single tax means simply a tax upon land values. Land is a fixed quantity, but land values are measured by the demand for opportunity to apply labor and capital. Hence they are seen to be entirely created by the public, and to vary in amount as the public demand varies. It is not denied that it would result in confiscation of these values to just the extent of the tax, but only in the same sense that all taxation is confiscation of values. The question of what shall be taxed is simply a question of what values shall be confiscated. Shall these values be confiscated from the earnings and economies of the individual; from his enterprise in business: from his improvements of real estate? All such values are created by the individual. Or shall they be confiscated from those values which attach to land on account of its accessibility or proximity to population? Such values are created entirely by the public. The term "confiscation" then, —"forfeited to the public use": Webster—is as applicable to one form of taxation as to another. Our present tax laws are a multiform system and lack of system, resulting in a confiscation of many values created by the efforts of individuals, and a small amount from those values created by the public; while the single tax, as its name indicates, would appropriate the necessary amount to pay the expenses of the public entirely from those values created by the public.

I have deemed it best to be thus explicit in defining the single tax in order that the reader may know what I indicate when I speak of its relation to socialism. Though the latter claims the respect due to an institution of some age, yet the word itself is of comparatively recent origin, it having been coined in England about sixty years ago. It is still however far from definite and exact in its meaning. Schäffle defines it thus: "The alpha and

omega of socialism is the transformation of private competing capitals into a united collective capital." This refers to principles rather than methods and would seem to place the writer more in sympathy with the Nationalists than with the Socialists as they are usually understood.

Rocher, also, who is well known for his writings on the subject, is yet somewhat vague when he says that it may be defined as "those tendencies which demand a greater regard for the common weal than consists with human nature."

This is a glittering generality, and but slightly less so is the statement of Adolf Held that "We may define as socialistic every tendency which demands the subordination of the individual will to the community." According to the strict wording of this definition all governments are socialistic inasmuch as they demand "the subordination of the individual will" to the law —that is "to the community." But it is evident that the definition is not so understood by the Socialists themselves, for Janet's clear statements illumine the otherwise ambiguous generalities of his fellow-writers. There is no misunderstanding for instance of this statement of his: "The state has a right to correct the inequality of wealth . . . by taking from those who have too much in order to give to those who have not enough." There is no vagueness about this. It indicates not only the principles but the proposed methods of Socialists, and it seems to illumine the other authors, some of whose statements may otherwise be understood variously according to the mental attitudes of the readers. Socialism then aims, and claims the right, to take from one and give to another; to take from the rich and give to the poor; to take from the prudent and give to the wasteful. In short to take from those who have and give to those who want, to the end that wealth may be evenly distributed. Whether this would be just; whether it would be practicable and expedient; whether it would result in elevating the race to a higher plane of morals and civilization, or would drag it down to a lower level through the selfish dictation of a majority, is not within the scope of this article to discuss; nor do I dispute the fact that numbers of the Socialists are prompted

by the noblest motives for the welfare of their kind, and sincerely believe the system to be based on divine justice. But I wish the attention of those who have not looked into the matter, and who yet curiously have a vague idea that the single tax is a form of socialism, or tends to socialism. I point to the clear fact that the single tax and socialism are diametrically opposed to each other; that they represent radically opposite ideas.

Socialism, as seen, claims the right, and would exercise the power if it could be obtained, to take from any one his possessions, whether the result of his labor, ingenuity, or economy, and bestow them upon another. The single tax, on the other hand, would defend the individual from any encroachments upon, or confiscations by the government or any one else, of what he had himself produced, or his economy and enterprise made available; but from those values created by the public, *and from them alone*, would appropriate what was needed to pay the public expenses.

To those who are of a judicial mind a legal decision bearing upon this principle may give clearness to the idea. I quote from a decision of the Supreme Court of the United States on a case from Kansas. "To lay with one hand the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less robbery because it is done under the forms of law and is called taxation." This, then, is the legal status of the principles involved in socialism.

In the modern scramble for popular government it is time to pause and consider for a moment the fact that there is such a thing as individual rights.

In olden time there was so much abject reverence for all in authority that such persons were deemed to constitute a privileged class: privileged to that extent that they were held to be exempt from those rules of conduct and even morality which were admitted to be binding on the rest of the community. This idea was so deep-seated that it crystallized into a proverb, "The king can do no wrong." Conditions change, but the old superstition still clings to the race in its new environment, and



indeed need express itself by only a slight change of the old proverb. When the complaint is heard that the laws, though enacted by the people, are unjust and wrong, we are told "The people are king,"—and again as before "The king can do no wrong,"—forgetting that the individual has rights which the king, the people, and the law should be compelled to respect. These rights, as our forefathers justly declared, "are unalienable,"—that is, they cannot be taken away: though in the power to exercise them we can be, and frequently are, restrained.

The advocates of the single tax assert that these rights are the very cornerstone on which the system is founded: that the individual has an absolute right to all those values which he has created, and that the public has an equal right to those values which it also has created.

CHARLES E. BENTON.

THE ADMINISTRATION OF JUSTICE.

BY HON. GEORGE W. WAKEFIELD.

LAW is not an exact science, and the administration of justice is far from perfect.

No human wisdom can ever so clearly state the law as to make certain its application to the ever varying facts and conditions surrounding controversies among men, without interpretation by courts. The law does not execute itself, neither will it always be clear without explanation, and herein is the province of the courts. Much, however, may and should be done toward making the law exact, clear, and self-explanatory. It is now necessary to search for the law in many thousands of books, reports of cases adjudicated by the courts, and writings of men of eminent learning. This search upon a controverted question is often long and tedious. In this age of railroads, telegraphs, telephones, electrical machines and many thousands of ingenious devices to secure speed and certainty in every avenue of business, the lawyers, the people, the state, should be equal to their environment, and bring the law and the adminstration of justice to a like state of perfection.

A search for the common law and its sources goes back to the times when men wore armor and fought with spears, and when, according to Carlisle, the Merovingian kings, with long hair flowing, wended slowly on their bullock carts through the streets of Paris. It is the handsome boast of the common lawyers that the simple rules that were found sufficient for that distant and slow-paced age have been by the courts elucidated and expanded until now they are sufficient for the regulation of the vast and complicated interests of to-day.

If this be true, it is still the duty of to-day to catch the electric spirit and apply it to the law, to gather these rules from the

multitude of books and mold them into a definite and certain code.

A conservatism, having its foundation in ages of adherence to precedent, must no doubt move slowly, and by reason of it the bench and the bar have not generally been active advocates of law reform. The present rate at which precedents are made and the conflicts between the numerous independent jurisdictions, call more loudly year by year for reform. The libraries everywhere are beginning to groan with the weight of reports from all parts of the country. What do these books contain of general interest? They contain the discussion, declaration and extension of the common law, almost the whole body of which is judge-made law. Lord Bacon wisely wrote, "Judges ought to remember that their office is to interpret law, and not to make law." The Constitutions of this country, state and national, have vested the law-making power in bodies distinct and separate from the courts. It is now an urgent duty resting upon the law-making power, so far as it can be done, to reduce the law to the form of statute, so that a multitude of questions which often occupy hours of the court in argument and in examination of conflicting and varying authorities, may be promptly settled upon an inspection of the statute.

All rules of law should be reduced to statutes, clearly and carefully drawn. Then there would no longer be occasion for the judges to depart from their office as interpreters of the law. Judge-made law works a species of injustice in this, that it is a declaration of the law after the fact has occurred which it is made to govern. Retrospective legislation is not favored, and *ex post facto* laws are odious. No good reason should exist for the making of law by the judges. Napoleon earned no greater glory than the code which bears his name. Let the present time commend itself to the future by a full and far-reaching codification of the common law.

Justice should be prompt, free, equal, even handed, "perfect paired as eagle's wings." Delay is the most common complaint of the administration of justice, and this complaint is as well founded as it is common. There are many causes of delay, one

of which is the uncertainty of the law and wherein relief may be in large measure secured by codification.

A judge of fair local fame and originality of thought, has said it was almost as important that a case should be promptly tried and decided as that it should be decided right. While this thought is not to be defended as a matter of morals, it is too often true as a matter of fact. Delay may as certainly defeat justice as an erroneous decision. The bench and the bar may do much to forward the disposition of causes before the courts by bringing the controverted issues to the narrowest limits and devoting the time to the trial of such issues only. Too often time is wasted in proof of uncontroverted or immaterial matters, and in argument discussing the merits or demerits of opposing counsel. This cause of delay might be lessened by giving the judges long terms of office as free as possible from party influence, and power to limit debate to the jury as well as to the court, and by raising the standard of qualification for admission to the bar. It is popular to ascribe all the fault of delay to the judges and the lawyers, when often, in fact, the smaller portion of the burden rests with them. Every cause that is worthy of a place upon the calendar of a court is entitled to be once fully, fairly, and deliberately tried, considered, and decided. There should be no haste likely to prevent such a trial.

Special finding by the jury of controverted facts would no doubt obviate the necessity for many new trials. It is the duty of the state to its citizens to provide such number of courts and judges that every cause may be once promptly tried and determined, and that no term of court may be adjourned leaving untried any cause on the calendar which was ready for trial. There is a very general failure to so provide sufficient courts and judges, and such failure is a very potent, if not chief, factor in delaying the administration of justice.

When the court is burdened with more causes than can be tried, issues made for the purpose of securing delay still further retard and delay the business of the court, and the difficulty increases from term to term. The state should follow business-like methods and provide a sufficient judicial force to discharge

the business of the courts fairly and promptly. A business man having a work to be done in two weeks requiring therefor the labor of two men, would put two men at work and not one.

So if the business before a court requires the time of two judges to dispose of it promptly, then the state should furnish two judges, and not impose the duty upon one. No learning, tact, or skill on the part of the judges can prevent delay where the state has failed to provide a sufficient judicial force.

Delay in the determination of appealed causes is produced by the like failure of the state. The right of appeal is given by the statute and may be withheld or so limited that a single appellate court can dispose of all appeals, and the right of appeal should be so limited or the number of appellate courts should be increased. The right of appeal has been so generally given and for so long a period that it is now looked upon as a matter of right. There should, however, be but one appeal, unless upon a question of law certified by the inferior court. It is the duty of the state to provide such number of appellate courts as shall be able to determine promptly all appeals taken. Where one supreme appellate court is not able to so dispose of all appeals, then there should be provided other appellate courts in sufficient number. The statute should then so classify appeals that the more important causes would go directly to the supreme tribunal from the trial court, but not in greater number than such court could promptly determine. The residue of appeals should go to the other appellate courts and the decision thereof should be the law of the particular case, unless the court shall certify a question of law arising therein to the supreme tribunal.

The most important call now is upon the state to do its duty in providing sufficient courts and judges, both trial and appellate, so that it may be true as the poet sings:

> "There's no sequestered grot
> Lone mountain tarn, or isle forgot
> But justice journeying in her sphere
> Daily stoops to harbor there.

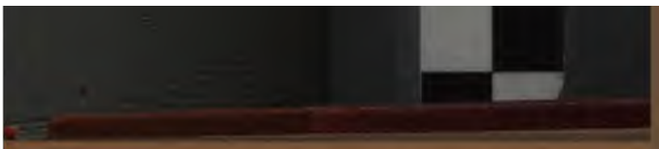
GEORGE W. WAKEFIELD.

THE NATION'S DUTY TOWARD HER CITIZENS.

BY VERNON R. ANDREW.

THE father who carefully guides the physical, intellectual, and moral education of his own family accomplishes in the end a definite purpose, for the realization of which the whole world is rendered better. But he who attempts to extend his care and assistance impartially over the entire community in which he dwells, often finds, when it is too late, that, in attempting to do too much, he has accomplished nothing, and that instead of the reward after which he sought, he is doomed to reap "a harvest of barren regrets." In this respect the family is the epitome of the nation. The father in the one case, and the governing power, no matter by what name it may be known, in the other, have the same duty to perform, namely, to be mindful of and guard the interests of those who are intrusted to their care and guidance. A nation's ability to do good is limited, no matter how generous its impulses nor how lofty its ambition. If it chooses an end which lies within the range of its capability, it may accomplish much toward the amelioration of mankind and the perfecting of civilization. But the moment it attempts to go beyond the limit of its powers it not only fails to accomplish its purpose but also neglects to do that which it had the ability to do. Every great question which the legislators and people of the nation are called upon to consider and decide, ought first of all to be viewed from this standpoint. They should determine, if possible, whether or no the nation has the ability to accomplish that which it desires to perform. If it has, and the object is a worthy one, by all means let it attempt to achieve it. If it has not, it certainly ought not to waste valuable time and energy in a fruitless struggle.

One of the problems which demands solution at our hands at



the present time is the question of immigration. No true man or woman can listen to the immigrant's tale of want, ignorance, and oppression without being moved by a feeling of sympathy and a desire to aid those in distress. Every honest citizen of the United States would rejoice to know that the whole world enjoyed the same blessings and privileges as are permitted to those who dwell beneath the liberty-loving folds of the "stars and stripes." But in the present condition of the world it is impossible for all to enjoy these privileges and the question we are now called upon, as a nation, to decide is this, "Is it our duty to sacrifice the welfare of our own citizens in attempting to better the condition of the citizens of other nations?" It is essential to the welfare of any nation that the great mass of its citizens should be as highly educated as possible, but in a government such as our own, where the people both make the laws and select their own agents for enforcing them, it becomes an absolute necessity of the continued existence of that government that the great majority of the people should be sufficiently educated to take a comprehensive and judicious view of all questions relating to the national welfare. The governments of the several states recognize this truth in their tireless efforts to educate the great mass of our common people. Throughout the length and breadth of our land; from every hill-top and from every valley, the school bells are ringing forth a joyful promise for the future generations of mankind. In the depths of our great cities, midst the dens of squalor, surrounded by the dives of poverty and crime, the watchfires of education are kept perpetually burning. Millions of dollars are raised each year by the governments of the several states to defray the expenses of the public schools. Officers are appointed whose duty it is to see that children within certain ages are compelled to take advantage of the opportunity which the state offers them for obtaining an education. We are attempting to utilize every possible means of enlightenment in our endeavor to make each voter of the United States a suitable citizen for a government of the people *by the people.*

And yet, it is a well-known fact that, in nearly all of our

large cities, elections are decided by the votes of foreign-born citizens, men who do not appreciate our government; who have no conception whatever of the questions on which they are voting, and who are governed entirely by their passions and their prejudices. Political parties bow submissively and acquiesce in their demands. Politicians grovel in the dust and outbid one another for their favor; while the nation looks in vain for *statesmen* who will dare to oppose their demands and insist upon having justice done our own citizens and institutions.

The American workingman has far more to fear from his foreign-born brother than his mere competition in the labor market. The foreigners who have come to us in the past, and many of whom are numbered among our best and most respected citizens, ought to be among the last to oppose a law restricting foreign immigration. They belonged to a different element from those who are deluging our country at the present time. They came because they desired to build up a home for their children and their children's children which should be free from the evils which reigned supreme in their childhood's home. But if this tide of immigration is not stemmed, their labors will have been in vain. But a short time and the laboring men of our own country will be reduced to the same conditions as are those of the Old World. Stand, if you will, upon the wharf and watch the ships unload their human cargoes upon our shores, and then predict the future of the American laboring man. The prisons and poorhouses of the Old World are perpetually pouring forth their contents upon our soil.

What can our schools, even when exerting themselves to the very extreme point, do toward subduing this mass of ignorance, intolerance, and crime?

What though our land to-day would accommodate a few more millions of people, shall we therefore welcome to our shores anything that will fill a space and eat an extra loaf of bread? Is it so necessary that our country should be populated to its very extreme limit that we must import paupers and criminals from abroad? Is our happiness not to be complete until we are able to rejoice over the fact that every foot of territory we



possess is fully occupied and that we have a few citizens to spare?

Let us rejoice that we live in a land which is still able to give its children a home. Let us rejoice that we live in a land which is not so densely populated and where the struggle for existence is not so intense that the greatest wrong a parent can do his child is to bring it into existence. It is the quality and not the quantity of a nation's citizens which constitutes its true greatness.

This is not a question in the decision of which we may allow ourselves to be guided by sentiment or feelings of sympathy. It is a question of national preservation or destruction.

Then let the patriots of our land arise! Let those who love country better than party, to whom honor is dearer than notoriety, who prefer the welfare of mankind to the plaudits of the multitude, combine to preserve our land from the dangers which threaten her. With all charity and sympathy for the ills and faults of other lands, let us say to the nations of the world, "The United States considers it her foremost duty to protect the interests of her own citizens."

VERNON R. ANDREW.

RELIGIOUS LIBERTY.

BY J. G. HERTWIG.

RELIGIOUS liberty is the grandest and noblest of all liberties. Its maintenance, therefore, and enjoyment in the United States should be constantly and carefully watched by the American people, aiming at the highest civilization attainable by man.

A late cable dispatch from Rome, Italy, states that a special representative of the pope, who now lives in the United States, has reported thither that both the Catholic clergy and prominent Catholic laymen of this country desire an American legation to be established at the Vatican, the pope's palace in Rome, and that they will see to it that the necessary influence is exerted upon the government at Washington to accomplish this object.

With regard to this statement we beg leave to offer the following comments:

The Constitution of the United States says: "No religious test shall ever be required as a qualification to any office or public trust under the United States," and, in its first amendment, it says "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." By these clauses the Constitution grants and guarantees full and absolute religious liberty to the American people. The Constitution, therefore, rejecting any religious creed as binding upon the inhabitants of this free country, treats religion as a strictly private and individual matter, and entitles every one in this country to search for it and to find it in his own head and heart, without being compelled to follow the views of others on the subject, stated either in print or given orally. In other words, under the Constitution, every

American citizen or foreigner residing in the Union has the right to take care of his own salvation without the aid of churches and clergymen. He has the privilege to cultivate a pure, honest, and benevolent heart and thus prove religious or truly moral, independent of any creed arrived at or agreed upon by others. There are those in the United States who do not take any interest in churches or clergymen,—claiming that they are able to take care of their own religious or moral welfare; and that, in fact, no one else can do it for them. There are those also in this country who do not read books devoted to religious creeds, for acquiring thereby religious instruction, relying rather upon the promptings of their own hearts as to true and sound morality. All such men are fully entitled to this their course, under the Constitution.

This fundamental law of the United States, in its ninth amendment, says: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." By these retained rights of the American people, plainly the natural, inherent, and inalienable rights of man are meant, including life, liberty, and the pursuit of happiness. By this clause, any man in the United States is entitled to pursue his happiness by accepting nothing but the eternal laws of the universe, infinite as to time and space, the natural laws of our globe, the habitation of man, and the innate laws of his own nature, as the basis of his religion, as the source of his convictions as to true morality.

According to the Constitution of this country, religion is most wisely and most happily a strictly private and individual affair, with which the state has absolutely nothing to do, not being allowed to control it in any way or manner whatever by statutory laws of a prohibitory, compulsory, or other character.

According to the Constitution, no church—that is, no organization for religious rites, instruction, and exercises, based upon a creed—shall ever become a national or state institution in this country. According to it, all religious sects of all denominations have a strictly private character in the United States. According to it, the station of an American priest, pastor,

rabbi, or other religious teacher, is a strictly private one, not entitling him as such to legal privileges of any kind or under any circumstances. In short, under the Constitution of this free country, churches are private institutions and clergymen are private individuals. The state, therefore, has to do no more with them than with other private institutions or private individuals. Particularly, not one cent of public taxes is raised in the Union for the support of churches or for the pay of clergymen.

The establishment of an American legation of the kind referred to would mean a public recognition of the pope at Rome and of the Catholic Church, in this country with its absolute religious liberty. It therefore would mean a gross violation of the American Constitution. Are the American people ready for anything of the kind? Moreover, which should be the duties of an American minister at the Vatican, the pope's residence? The latter, being without temporal power, is as to the United States nothing but a private person. It is true, he claims to be a spiritual potentate, but the Constitution of the United States does not recognize any ruler of this kind.

The establishment of the legation referred to would be the business of Congress, by which the necessary appropriation for it would have to be made. Yet, the members of the two Houses of the national legislature of this country, both senators and representatives, will surely well beware of breaking their oath—(binding them to support the Constitution of the United States)—in the interest of the Catholic Church, by recognizing the latter as a public institution, while its whole organization, in all its branches, is, under the Constitution, a strictly private affair or institution in this country.

To accomplish their object, as to the legation referred to, the Catholic clergy and the prominent Catholic laymen, mentioned before, would have to petition Congress for an amendment of the Constitution, abolishing the religious liberty clause. Yet, as a matter of course, the American people would never consent to anything of the kind.

In addition to the foregoing subject, there are some others

with regard to which the religious liberty, granted and guaranteed to the American people by their Constitution, may be discussed.

According to this fundamental law, all church property of any sort, in this country, is strictly private property. It, therefore, should be taxed as such throughout the land, exactly like other private property. It claims, like all other private property, the full and equal protection of the law, that must be paid for by revenue coming from public taxes. It, therefore, should contribute its full share to that revenue. This is a plain requirement of justice, the establishment of which is one of the aims of the Constitution, according to its preamble. The exemption of any church property whatsoever from taxation in the United States, involves an indirect public establishment of religion—forbidden by the Constitution. Only public property, belonging to the state or to communities organized under the same, is justly and necessarily exempted from taxation. The exemption of church property from taxation, that now prevails in this country, indirectly renders church organizations monopolists, unjustly enjoying special monetary benefits at the expense of others not belonging to such organizations. It grossly violates the principle of equal rights to all before the law, which principle, as the basis of American freedom, is contained in the Declaration of Independence. By church property, church buildings proper, parsonages, buildings for sectarian schools and all other kinds of property belonging to church organizations are meant.

Under the Constitution of the United States, all clergymen or religious teachers of any sect or sort, in this country, are strictly private persons. They, therefore, are not entitled to receive any money derived from public taxes for their services. In other words, they are not entitled to public recognition, because it would involve an indirect public establishment of religion—forbidden by the Constitution. They, therefore, cannot be lawfully employed for pay as chaplains in Congress, in state legislatures, in the army, navy, or militia, in prisons, in asylums, or in other institutions of this country supported by

public money. The government of this country consists of three coördinate branches: the executive, represented by the president and his subordinates, both at home and abroad; the judicial, represented by the Supreme Court and the inferior courts of the United States; and the legislative, represented by Congress. While neither the president nor the Supreme Court nor the inferior courts of the United States are assisted in the daily performance of their official duties by prayers of clergymen, the two Houses of Congress employ each a chaplain for such a purpose, for pay. Thus Congress, by legal enactment publicly recognizing and indirectly establishing religion in this country, plainly violates the Constitution it is by oath bound to support.

The public schools of the United States are based upon the principle that liberty and civilization are, and always will be, true and inseparable companions. Civilization comprises all the achievements of man for his mental, moral, and physical welfare. The state of the civilization of a nation is shown by its laws and public institutions; its progress in science and the useful arts; its public press and its literature; its commerce, agriculture, and mechanical and manufacturing industry; its means of communication and transportation; and its manners and mode of living generally.

The indispensable necessity of public schools for this free country, and the great benefit derived from them, are recognized by every sensible, well-meaning, and patriotic American citizen. These schools should be always taught in full harmony with the Constitution, and, as a matter of course, with the religious liberty granted and guaranteed to the American people by the same. They, therefore, should have absolutely nothing to do with religious creeds or exercises. If this will be done, these schools will prove the best, the surest, and indeed the only safeguard for the permanence and eternal operation of the fundamental law referred to—granting and guaranteeing all the liberties dear to the human heart to the American people.

Sectarian schools, schools controlled by churches, are strictly private institutions in this country and not entitled to any sup-



port by state or public taxes. The claim to such support being frequently made in different ways by the Catholic Church, is absolutely wrong and should be always energetically opposed and rejected by the American people. Enjoying absolute religious liberty in this country, as a private organization for private or individual purposes, the Catholic Church should be satisfied with this fact and never attempt to encroach upon the domain of the state in this free country.

J. G. HERTWIG.

SHOULD WAR BE ABOLISHED?

BY WILLIAM H. JEFFREY.

"Let us have peace."—*Grant.*

HAVE we not reached a state of civilization sufficiently high to warrant the abolishment of war? This is a serious question and one that is being discussed considerably at the present time. Able writers hold that war is a necessity, and that a worse condition would confront us if it were abolished; while, on the other hand, others hold that there is no question as to the advisability of abolishing this relic of barbarism.

The purpose of this article is to review this question, not from a standpoint of sentiment, but from facts gathered from authentic sources.

Needed reforms come very slowly, and old customs and ideas, no matter how foolish or wicked, are apt to hold sway long after the necessity for them has passed—therefore, let us deal with this question from the amount of cost: first, in money; second, in human life; and third, in morals.

The cost for the support of the armies and navies of Europe for the year 1892 was $2,355,000,000, and from 1790 to 1880, a period of ninety years, it cost these same nations $15,235,000,000, an average of $170,000,000 for each year. But we need not refer to the cost to Europe to learn what merciless warfare really costs. It required more than $6,000,000,000 to carry on our late Civil War, to make no mention of the $1,500,000,000 that have been paid in pensions from 1861 to 1893, or of the millions of dollars lost by private individuals.

The cost in human life is something appalling. Europe lost in ninety years, 1790 to 1880, 4,470,000 lives, or an average of over 50,000 per year. Wellington at Waterloo lost 23,185 men. At the battle of Sedan the loss to both sides was more than

21,000. The total loss in our Civil War was more than 900,000 lives. What a fearful loss of human life, to say nothing of the 3,000,000 who were wounded! A glance at the statistics of the pension department shows us a fearful record of ruin. Over a million claims of invalids and widows have been allowed since 1861, and these same records show that two claims have been received by the department for every one allowed, and that there are now on file thousands more awaiting action.*

Surely Cowper spoke truly when he said:

> "War 's a game, which, were their subjects wise,
> Kings would not play at."

We now proceed to the moral effect of war. It is only necessary to call attention to a few quotations from the reports of the prison authorities of various states to offer unanswerable evidence. We find in the 1886 report of the Eastern Penitentiary of Pennsylvania, the following:

"During the last three months of the year, the influx of prisoners was unusually large, nine tenths of them had been more or less incapacitated and demoralized by an apprenticeship to the trade of war."

The inspectors of the Western Penitentiary of the same state have this to say in their report for 1885–86:

"After the close of the late Civil War the number of prisoners increased so rapidly as practically to annul the methods of labor." During the year of 1879 there were received at this same prison 312 convicts, out of this number 265, or 85 per cent, had served in either the army or navy.

The commissioners of the state prison of Massachusetts, in the history of that prison, say:

"The commitments increased so rapidly after the close of the war that it became necessary in 1867 to provide additional room."

The report for 1866 of the New York City prison at Blackwell's Island contains the following significant statement:

"The number of prisoners has increased since the termination

* Green B. Raum, Pension Commissioner, said June 13th, 1891, that "there is now pending 1,095,000 pension claims."

of the war. The aggregate number confined in 1864 was 921, in 1865, 1,670 ; it is believed that there will be a large increase this year."

Such evidence, from such reliable sources, can leave no doubt in our minds regarding the moral effect of war.

War pauperizes the people, fills the jails, makes countless widows, orphans, and cripples, and returns to them nothing that could not be satisfactorily obtained by the establishment—under a general judiciary department—of a world's supreme court.

That war pauperizes the nation there can be no doubt, and that the present enormous public debts owe their existence to the same cause is equally certain. To better illustrate, let me here call attention to the public debts. Eight of the European nations are under a burden of $18,837,000,000 of public debt, or $70.39 per capita,—it is needless to say that each of these nations has a large standing army and navy—while in the United States, where we have comparatively no standing army and only a small navy, our public debt in 1890 was only $14.24 per capita.

The nations of Europe are keeping enormous standing armies at the expense of the laboring public mainly to terrorize each other, and the effects upon the wage earners of England, Germany, France, and Russia are being felt in no unmistakable manner.

One has only to glance at the daily papers, to learn of another approaching Russian famine. The press dispatches tell us that "$50,000,000 would be sufficient to relieve the naked, half-starved, and wretched people." Yet statistics show us that it cost Russia last year more than three times this amount to keep up her armies and navy. The comparison needs no comment.

That a civilized or semi-civilized nation should annually expend hundreds of millions of dollars as a preparation for the successful destruction of the life and property of a neighboring nation and permit the starvation of its own subjects, is a condition radically wrong.

President Harrison, in a speech at Washington in 1889, said :

"The offices of an intelligent diplomacy, or of friendly arbitration, should be adequate to the peaceful adjustment of all international difficulties."

War is the premeditated murder of many by nations, and is no more right than the premeditated murder of one individual by another.

The question that presents itself is, How shall we grapple successfully with this relic of the dark and barbaric ages?

International arbitration has been discussed by the various peace societies as a means of settling disputes between nations, and it must be acknowledged that much has been done by this method. But any method which contains a possible element of failure is not practicable and should receive no serious consideration, for sooner or later it must be abandoned.

In a recent number of this journal I took occasion to say:

"International arbitration is not feasible. It is practically impossible to find arbiters who have not formed an opinion before the case is finally submitted to them for decision.

"Although an international agreement may have been decided on in time of peace, nations may refuse to arbitrate, and questions will arise of which a nation may believe her own interpretations are correct. And when individuals or nations believe they are right, they are not, as a rule, willing to leave it to other parties to determine.

"Individuals or nations that have nothing to lose and all to gain may arbitrate, but, on the other hand, those that have nothing to gain and a fair prospect of losing that which they have, will hesitate before they consent to place their interest in the hands of another."

As an evidence of the correctness of my opinion on this point, I will here submit the following Associated Press dispatch from Berlin, under date of February 28, 1893: "In the Reichstag to-day Herr Roebel, the social democrat, suggested that the future nationality of Alsace-Lorraine should be submitted to international arbitration. Chancellor Von Caprivi declared that 'if arbiters desired that Germany should surrender Alsace-Lorraine, the nation would refuse to acquiesce in the decision.

Rather than give up that territory Germans would prefer to shed their last drop of blood.' "

General Benjamin F. Butler, in discussing the Behring Sea controversy in a recent number of *The North American Review* declares that arbitration is not just or practicable, and that "In almost every instance where we have had arbitration with Great Britain we have got the worst of it."*

Such declarations from such sources will have no little effect in shattering the hopes of those who have deluded themselves that international arbitration is practicable, just, and satisfactory.

President Cleveland should invite the nations of the world to appoint commissioners to meet at a given place to formulate plans for universal peace. This done, we would then have a general judiciary department of the world, by virtue of which would exist the grandest body of legal talent ever assembled on the face of the earth: the world's supreme court, composed of one associate justice from each nation, who should be chosen by the chief executive to serve for life. All international questions that could not be amicably settled by the various diplomatic corps, would here be heard and adjusted on the merits of the case and not by virtue of the might and power of the nation affected. Billions of dollars would be saved to the people annually. Millions of men would then become producers, instead of remaining uniformed loafers. Then and not until then will war be abolished.

WILLIAM H. JEFFREY.

* Arbitration has succeeded, however, in settling this controversy, as it has settled nearly a hundred other international disputes.—ED.

AMONG THE BOOKS.

Outlines of Economics. By Richard T. Ely, Ph.D., LL.D. 12mo, cloth. pp. 347. Meadville, Pa.: Flood & Vincent. Price, $1.

The national reputation of Prof. Ely as an able and conscientious writer and lecturer on economic subjects predisposes one favorably toward this book before beginning its perusal. He may be called a pioneer in some departments of his line of work, for he has boldly advocated certain theories as right and politic which most others in the same field have either lacked the perception to grasp or the courage to avow, though his own opinions are not so positively expressed in this as in some of his other works.

He well says in starting out that economics proper means more than bread and butter; that literature, science, art, religion, and government not only require bread and butter for those employed in them, but books, papers, laboratories, churches, and court-houses are all a part of man's "living." He reduces the methods of getting things to two: finding them and making them. This differs somewhat from Lyman Abbott's statement that there are three ways by which a man may secure property: by earning it, by having it given to him, or by stealing it—speculation in its different forms being classed under the latter head. Mr. Ely's application, however, is to primitive man, while Mr. Abbott refers to civilization as now existing.

Dr. Ely regards civilization as consisting largely in wanting many things and in learning how to make them. He considers cannibals as not being simply very wicked but also very ignorant and very hungry. They are too ignorant to help Mother Nature raise food, and are almost driven to the necessity of devouring one another, for it is estimated that a tribe of hunting savages requires 50,000 acres per person to live on.

The second chapter of the book is devoted to the life of the

semi-civilized and briefly describes the steps taken in advancing from barbarism to semi-barbarism. He regards slavery as the most important characteristic of this stage in human development. Men cease to kill their prisoners as they do in barbarism, and make slaves of them instead. They do this in order to have work, which they dislike to do themselves, done by their captives. This, as Dr. Ely says, is a poor reason for becoming humane, but it is well to become humane even for a poor reason. When he declares that slavery is both right and wrong, he utters what may be a paradox but what seems more to us like an inconsistent statement. He says that there is a time in human development when slavery represents a step in human progress, the best and longest step that men are able to take, and when taken at that time it must be regarded as right; but when men have learned to do better, slavery is wrong. We are hardly ready to admit, however, that in comparing wrongs it is proper to call the lesser of two evils right as compared with the greater, which seems to be the gist of Prof. Ely's reasoning in this case.

With chapter third the author begins the discussion of the economic life of civilized man in its first stage. After devoting but a few pages to this period, explaining the transition from barter to buying and selling, he discusses the different stages in the progress of development of the civilized world's business transactions. He designates power manufacture as the characteristic feature of the industrial age, dating from the invention of the steam engine in 1769. Up to that time men had practically what they could produce with their own muscle, while it is estimated that now the power employed in manufactures produces twelve times as much as all human labor could do unassisted. He asserts, however, that there have been but few periods in history when so many have been dissatisfied as in this, and ascribes as a cause that the change from muscle to power has been violent and rapid and necessitated a reconstruction of the social order. Men have learned with astonishing rapidity how to make new things but have not learned so rapidly how to use them well, thus causing manufacturers to stop work at times, throwing thou-

sands out of employment until they could start again, only to stop sooner or later with returning "hard times."

The comparison between the hand manufacturer and the large power manufacturer is well drawn, and shows how a large part of the present industrial discontent has been brought about. Wages, competition, banking and credit, and transportation are briefly but clearly discussed, and the industrial revolution in England is treated at considerable length. The suffering caused in England in making the change from hand to power labor is graphically described. The advantages and disadvantages of credit transactions are discussed with unusual ability, while free trade, protection, state regulation of industry, and many other topics are treated clearly and concisely.

The chapter in which he discusses our futile efforts to control monopolies is a most interesting and instructive one. He analyzes with great clearness the three different methods that have been tried to accomplish the result, namely, competition, government regulation, and government ownership. As an example of the failure of competition to keep corporations within bounds, he cites the case of the West Shore Railway, which parallels the New York Central from New York to Buffalo. It was designed to check the monopoly of the New York Central Company, and the charter provided that it should never be sold to that company. After it had been in competition a few years it was not sold, but leased to the New York Central for four hundred and seventy-five years, thus making a useless fifth track to a four-track road and preventing competition for nearly twenty generations to come. He also tells how cities, oppressed by monopoly, have eagerly welcomed a new company and allowed it to tear up the streets and inflict all sorts of inconvenience in putting down gas mains in the hope of getting competitive prices on gas, but have found after a short period of competition that the principal effort of the new company was to force the old to divide its profits, and a consolidation takes effect, making the matter as bad or even worse than before. He lays down as a general maxim, that the public must pay for every article needlessly duplicated in monopoly service, and

that, too, without compensating benefit. As a result of the century's experience he says present opinion seems to tend toward (1) private enterprise in the competitive field; (2) government ownership in the field of monopoly; (3) right of private organization for all legal purposes; (4) government regulation of private industry to protect the life, health, education, and general welfare of workmen; (5) government arbitration, if needed, to settle labor disputes.

His discussion of money indicates that he has grasped the subject with the mind of a philosopher and not looked upon it with the distorted vision of a politician. He lays down clearly the purposes which money is intended to serve, and talks sensibly regarding the material of which it should be made. Though not so liberal in his ideas on the subject as we think he could be and still keep within the limits of reason, he is far in advance of those who still hold to the idea that in using money we are simply following out the semi-barbaric form of barter—exchanging one hundred cents' worth of one commodity for the same value of another.

Lack of space forbids a more extended notice of the book at this time. It has been selected as one of the text-books of the Chautauqua course the coming year, and is admirably adapted to fill the place chosen for it. At the close of each chapter is a summary of the subject matter, questions concerning the principal features, and references to books and articles bearing on the subject. The fact that the book is to be used as a text perhaps has much to do in keeping the author from expressing his own conclusions more emphatically on some of the questions he discusses. In order to avoid the charge of partisanship the author of the text-book is obliged to keep on the fence, so to speak, on some subjects. He may give both sides of the controversy, but as soon as he ventures to express his own opinions the cry of politics or partisanship is raised and confidence in the book destroyed for those who disagree with the conclusions of the author.

How Nature Cures. By Emmet Densmore, M. D. 8vo, pp. 405. New York: Stillman & Co.

There are home doctor books without number, but this differs

essentially and radically from any that we have ever examined. The majority of these books attempt to make amateur physicians of those who use them, and the best of their advice usually is to call a doctor promptly when taken sick, but though the author of "How Nature Cures" is a physician, he evidently believes more in the advice of the philosopher who said, "Throw physic to the dogs," than he does in the learned lectures of the medical professor. He has all faith in surgery, and also gives the medical profession credit for being able to diagnose disease, but he maintains with great plausibility that physicians do vastly more harm than good in prescribing drugs as an aid to recovery. He refers to the case of George Washington, who was taken ill with a slight malady that might have been promptly overcome by proper treatment, but the third bleeding on the part of his physicians was more than his vigorous constitution could stand, and he died a victim of malpractice. While blood-letting is renounced by the profession to-day, Dr. Densmore maintains that physicians are guilty of equally as wrong treatment under the impression that it is beneficial.

Great stress is placed on diet, and the central idea is held forth that sickness and acute attacks of illness bear the same relation to food that drunkenness sustains to drink.

His doctrine that bread, cereals, pulses, vegetables, and all other starch foods are not fit for articles of diet, but the foundation of nervous prostration and modern diseases is sufficiently original to be startling to most readers; but those who condemn our author without giving him a hearing are doing him an injustice. He sustains his position with uncommon clearness and ability, and while he may be regarded as a crank there is an unusual amount of method in his madness. His advice on how to keep well and how to get well when sick is well worthy a careful study on the part of every man and every woman who is interested in this all-important subject. To make his case well nigh conclusive as to the uselessness of much of the physician's business, he quotes from many of the ablest practitioners of this country and Europe to show that their work is largely a groping in the dark.

Washington Brown, Farmer. By Leroy Armstrong. 8vo, paper, pp. 326. Chicago: Charles H. Kerr & Co.

This book is intended to illustrate one of the wrongs and the remedy therefor of the present economic conditions, by the story of a young Abolitionist who went from New England to Kansas in 1856. He was a wild, reckless, courageous sort of fellow, and while making his long trip westward overland, he and his wife had an encounter with a band of armed men whom they took at first for border ruffians. Though both sides were armed, no shots were exchanged, for when Washington Brown defied the gang that surrounded his wagon by exclaiming, "Go back to Missouri with your night rides and man hunting," the grizzled leader said, "We're not border ruffians; we're free state men—I'm John Brown." They then became friends in a common cause. Such was his introduction into Kansas life.

As time passed, Wash Brown, on account of his common-sense way of looking at questions, soon became the leader among the farmers of his immediate neighborhood, and finally of the whole state. He opposed the coöperative stores that have so nearly unanimously proved disastrous to farmers, and while the failure of such stores started against his advice may not have given him any satisfaction, it confirmed the soundness of his judgment. He was thoroughly imbued with the idea that all the farmers of Kansas needed to make them prosperous was to be able to fix the price of their own wheat, instead of allowing it to be fixed by Chicago brokers. He declared that the price of wheat should never be less than one dollar a bushel, and set about organizing the farmers of the state so as to command that price. He succeeded in combining all the farmers of the state in an agreement to store their wheat, amounting to 40,000,000 bushels, in elevators, built by a large fund raised for the purpose, and keep it until they should get their price.

Brown then went to Chicago to make terms with a broker firm to sell the wheat, and, like the man from Jericho, he fell among thieves; but, unlike the Jericho robbers, the Chicago brokers did not succeed in stripping Brown and leaving him for dead, though they undoubtedly thought they had him skinned alive.

They agreed to sell the wheat at $1.25 per bushel on condition that Brown would deliver it without fail in July, which he agreed to do. In order to make them secure against possible loss, Brown turned over the warehouse receipts for 40,000,000 bushels of wheat on which to raise money to pay the margins in case of loss.

No sooner had they consummated this contract than they set about to tie up cars at the time the wheat was to be delivered, and though Brown had arranged to have all the wheat moved from Kansas to Chicago within five days after giving orders, the brokers had no difficulty in coming to an understanding with the railroad magnate, called Gay Jeweled, by which cars were to be withheld until orders were received from the brokers. Acting on what they considered a certainty that the wheat could not be delivered, the pool of brokers that had been formed bought millions of bushels as high as $1.40 for July delivery, expecting to reap a big margin on Brown's failure to deliver it.

When the time had come for delivery, Brown gave orders to ship the wheat, but word came that no cars could be had for some time. He was amazed, for he had an understanding with the railroad managers. He took in the situation and, acting on the principle that a desperate case justifies desperate means, he took five trusty men, met the train on which Gay Jeweled was traveling and taking his private car off on an abandoned track four miles from the main road and ten miles from a house, they compelled him, under threat of death, to give orders for the shipment of wheat. About the time the Chicago brokers were delighted at the prospect of making a big margin on their wheat because of non-delivery, it began to pour in and bankrupted the whole gang.

There is a love story intermingled, but as the object is to point out a remedy for an economic wrong, we have endeavored to sketch only the parts that bear on this which though working out in romance seems far from realization in practice.

Are Men Gay Deceivers? By Mrs. Frank Leslie. 12mo, pp. 304. New York and Chicago: F. T. Neely. Paper, 50c; cloth, $1.25.

When one picks up this book with its interrogative title and sees that Mrs. Leslie is the author he feels that the subject is

handled by one who ought to know something about it. It is soon discovered, however, that the book is made up of thirty-two chapters, and that the chapter from which the title is taken makes but eight pages. Contrary to the reader's preconceived opinion, Mrs. Leslie does not charge men with being gay deceivers, but claims that woman deceives herself and that man simply lets her. She declares, "the trouble is, few men have enough tact to be really deceitful," though why it should be called a trouble is not clear. There isn't any particular merit in the first chapter that we can discover, but some of those that follow abound in good, sensible advice well worded. Among the best might be mentioned: "To Reform a Man"; "Love and Marriage"; "What is Society?"; "Woman's Position"; "Unhappy Marriages"; "What is a Lady?"; "Concerning Quarrels," and "Why do we Give Gifts?"

The True Grandeur of Nations. By Charles Sumner. The well-known Boston publishers, Lee & Shepard, who publish Charles Sumner's complete works, have reprinted his great oration, *The True Grandeur of Nations*, in a neat little volume.

Sumner hated war with all the intensity of his strong nature and this oration has done much toward directing public attention to the horrible character and uselessness of war, with its innumerable evils and its lack of compensating advantages. While the public mind is still blinded with the inherited prejudice of ages as to the importance and honorable character of war, and is animated with the fallacy that armies and navies are necessary to a nation's safety and welfare, the American people especially are learning to look upon war with feelings of horror, and to regard it as utterly inconsistent with the theory and practice of the principles of Christianity.

Sumner chose a suitable day on which to deliver his arraignment of the war monster—the Fourth of July—a day when every American mind and heart should be open to receive lessons touching true national greatness. Though nearly fifty years have passed since the oration was delivered, its eloquent truths are just as fitting, as interesting, and as important as when they fell from the speaker's lips—July 4th, 1845. And this pretty little volume that brings the oration once more in a convenient form before the reading public will no doubt have a much larger sale than any previous edition.

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"WHAT IS MONEY?"

BY JOHN R. MUSICK.

LITTLE Paul Dombey sat in his small arm chair in front of the glowing fire, by the side of his erect and solemn father, "stiff with starch and arrogance." They had both been quiet for a long time. Dombey only knew that the child was awake by occasionally glancing at his eye, where the bright fire was sparkling like a jewel. Little Paul broke the silence thus:

"Papa! what's money?"

One might think from the recent agitation over financial questions, the long speeches and earnest discussions in Congress and out of Congress, in schools, in the shops, at the firesides, among bankers and financiers, and those who are not bankers and financiers, that little Paul Dombey had risen from his grave and propounded to the American people the same question which he asked his father. There seems to be no question so much talked about and evidently so little understood as money. The general definition, "medium of exchange," is accepted by all, and by most lexicographers confined to gold, silver, and bank notes, though copper, nickel, and other mediums are used. Usually, when opinions on statecraft are sought, one goes to men learned in that line, and when opinions on finance are sought after, the great bankers are consulted. This is reasonable and, generally speaking, correct. But an assertion has been made that the interests of the banker are opposed to other classes of people. If this be true, to consult only the bankers on the great

finance question, would be as unjust as for a jury to hear only the testimony of one side of the case. If I wanted an opinion on wagons, I would go to a man who manufactured wagons for it; but if the farmers who purchased his wagons charged him with putting in rotten fellies, bent spokes, and loose hubs, then I would think it necessary to hear their complaint. There are quite a respectable number of people arguing that the bankers want a single, or gold, standard, in order that they may control the money market, "work up corners," contract or inflate the currency as best suits their purpose. One thing is certain, the secretary of the treasury invariably consults the bankers on all financial questions, despite the complaint of the common people. The columns of the press are usually open to the banker or congressman for his views, while the mechanic and tradesman and farmer, who go to make up the great body of this great nation, go unheard until, losing confidence in themselves, they scarce dare speak their views, even if they should be permitted. The money question, like most great subjects, has many sides; and as the blind men who went to examine the elephant, opinions are formed according to the side from which the examination is made. One fellow who has only got hold of the ear declares that it is like a fan; another, who has the animal by the leg, avers that it is surely a tree; a third, who is feeling along its side, vows it is a wall; while the fourth, having by some chance got the tail, laughs at all his companions, calling them fanatics, and asserting that the thing is like a rope. One should be careful how he accuses a person or a class of people of fanaticism, for Bancroft says it is sometimes difficult to distinguish between fanaticism and the keenest sagacity.

In all that has been said in Congress during the present session on the subject, not an original suggestion has so far been made. A man who gives birth to an original idea is called a crank in these days; at the time of Morse, he was crazy; at the time of Fulton, a fool; and at the time of Columbus, mad. No statesman looking out for another term of office can afford to be called a crank, crazy, fool, or mad. He must wisely entrench himself in the narrow confines of present beliefs, and not go

roaming over the green hills of unexplored investigation, for there is danger of getting off the party platform, and being denounced as a political traitor. The present system of American politics is calculated to dwarf the statesman. If he has an original idea, he must suppress it, or hug it so closely in his breast that it dies of suffocation, for fear that it might not be consistent with the party platform.

And now while congressmen and senators are making long, dry, and ambiguous speeches on questions of finance, the common people are asking, "What is money?" It was once thought that when money was plenty, "times would be good," and when it was scarce, "times would be hard," until it was discovered that if the fruits of the earth failed, and all the swine and cattle should die, people would perish though there were mountains of gold and silver. Robinson Crusoe on his lonely island would have given all the gold he discovered on the wreck to hear the voice of a companion, for a suit of clothes, or loaf of bread. Money is a medium of exchange, and not an essential to happiness. Clothes, food, and shelter are after all what people want, and not money. It is corn, wheat, cotton, iron, and lumber, that money as a medium of exchange procures. Millions of gold would not be of as much service in a rain as a cotton umbrella. The sages of finance say that we must have an acknowledged medium of exchange, that we must have a unit of value, and that there can be but one unit. They make long calculations, basing all values on human labor, which theory is beyond doubt correct. They estimate that it takes a day to dig out of the earth a certain amount of gold, and that a man will in a day raise twenty bushels of wheat, then wheat and gold are at one to twenty. They divide the gold into dollars, and say that if a man can dig ten dollars worth of gold in a day, and another man can raise wheat at the rate of twenty bushels per day, then wheat is worth fifty cents per bushel.

The man who raises the wheat is engaged in preserving the life, happiness, and comfort of mankind, while the man who is digging the gold and silver is merely searching for a metal that serves as a medium of exchange, and is seldom exchanged. The

gold is taken out of the mines, coined, and placed in the vault of the treasury, or in the banks of the country, on which certificates, treasury notes, bank notes, bills of credit, and bills of exchange are issued to transact the business which the lazy gold is supposed to do. Looking at this medium of exchange from an economic standpoint, we can see what to one claiming to be neither financier nor statesman seems absurd. As nearly as I have been able to ascertain, there are about 300,000 men engaged in the gold and silver mines and in the mints of the United States. Their wages range from $2.50 to $5.00 per day. Place the amount at $3.50 per day, and we have 300,000 people laboring at an expense of $1,050,000 per day hunting up a circulating medium, so that John Smith may purchase calicoes and shoes of Tom Jones, and Tom Jones may purchase wheat of John Smith. Why is it necessary that there should be a waste of $1,050,000 per day just to procure a medium of exchange? Even when the gold is procured Smith and Jones never use it, but use its representatives, bank notes and certificates.

Why need there be either gold or silver security, when the real wealth of the country is wheat, cotton, corn, beef, wool, and its other products? If a treasury note issued by the government, redeemable in one or two of the products of the country, is taken for money, why would not treasury notes, made redeemable in all the products of the United States, at the market price, and made by law a legal tender, be a more substantial currency than gold or silver certificates, or treasury notes payable in coin? Compared with corn, wheat, wool, and cotton, gold and silver are not only useless products, but they are far more liable to fluctuation. Hon. John J. Ingalls, in a speech in the United States Senate, February 12, 1878, in speaking of gold, said:

> No people in great emergency ever found a faithful ally in gold. It is the most cowardly and treacherous of all metals. It makes no treaty it does not break. It has no friend it does not sooner or later betray. Armies and navies are not maintained by gold. In times of panic and calamity, shipwreck and disaster, it becomes an enemy more potent than the foe in the field; but when the battle has been won and peace has been secured, gold reappears and claims the fruits of the victory.

In our Civil War it is very doubtful if the gold of New York and London did not work greater injury than the powder, lead, and iron of the rebels. It was the most invincible enemy of the public credit. Gold paid no soldier or sailor. It refused the national obligations. It was worth more when our fortunes were lowest. Every defeat gave it increased value. It was in open alliance with our enemies the world over, and all its energies were evoked for our destruction. But as usual when danger had been averted and the victory secured, gold swaggers to the front and asserts the supremacy.

The same may be said of any single product taken as a base or unit of value. But if the United States, or the world, for that matter, instead of having one base or one standard, should issue bills payable or redeemable in the products of the country at the current price or market value, gold and silver would both be dethroned. The chances of the few controlling the markets against the many would be lessened, and fictitious values and wealth would become a thing of the past. This is no new idea. The state money of Tennessee was made payable in cotton, only one essential product of that state; yet during the Civil War, when all the state banks whose money was payable in gold went down, Tennessee cotton preserved life in her state scrip, which in 1865, after the war was over, was at a premium, and worth more than greenbacks redeemable in gold. The Confederate bonds secured by the cotton of the South found a ready market in Europe.

Senator Sherman, in his speech in the United States Senate, August 30, 1893, almost acknowledges the superiority of the products of the nation when he says: "If the fight must be for the possession of gold, I would use our cotton and our corn and our wheat; and I would protect our credit against all mankind." If our cotton, our corn, and our wheat will give us the gold, then they are the superior of the gold. If they are the strength of the nation's credit, why make the fight for gold and silver at all? If bonds issued by the Confederate States secured by cotton found a market in Europe, if the money of Tennessee payable in cotton was after the war worth more than one hundred cents on the dollar, then who will dare say that paper money of the United States payable in all the products of this great nation will not be gladly taken in all parts of the civilized

world? What figure does gold cut in the great commercial transactions between the United States and Europe? In order to illustrate this we will take an example given in Townsend's "Commercial Law," page 71, on bills of exchange:

> Take a supposed case. For instance, E. R. Felton has 10,000 barrels of flour in New York, for which he is in pressing need of the money. But he cannot sell in that city for any price which he is willing to accept. However, on sending the flour to John Brown, Liverpool, England, he can obtain the New York price besides enough to pay transportation, insurance, etc., and fifty cents profit on each barrel. That is, it will be to his advantage $5,000 by sending the flour to Liverpool. Felton ships the flour, and it is sold for $100,000 over and above all expenses. Brown now owes Felton this sum in gold. But the money is in Liverpool. Felton must now pay transportation and insurance on that gold from Liverpool to New York. The trip out and back takes one month, and he gets his money at the end of that time, unless it is lost by the perils of the sea. Felton at the very best has lost the use of his money for one month, which at six per cent amounts to $500. He has likewise paid, say $500, for transportation and insurance of the money from Liverpool to New York. This is the cheapest and most expeditious way of doing business without the bill of exchange.
>
> Now let us call to our aid the bill of exchange, by which we shall see that Felton can obtain that $100,000 in New York before the flour leaves the wharf. This is the method: Felton gets the flour insured, procures a bill of lading, and consigns the flour to John Brown, Liverpool. He takes his bill of lading to James Smith, a New York banker, who wants more money in Liverpool than he has here. Felton draws his own draft, or bill of exchange, on Brown of Liverpool, in favor of Smith of New York, for $100,000; for which Smith pays Felton not only the $100,000, but a premium of several hundred dollars on the draft. Smith, the banker, can well afford to do this, for he will make money out of the transaction. A. T. Stewart has just purchased $100,000 worth of goods in Liverpool or London, and must send the gold over to pay for them, unless he can find a man who has that amount of money there and will let him have it. In other words, Stewart wants that $100,000 in Liverpool which did belong to Felton but now belongs to Smith. Stewart goes to banker Smith, buys the draft which Smith has just bought of Felton, and pays for it an additional premium. . . .

Thus we see how Mr. Townsend illustrates two transactions of $100,000 each, in which gold plays part in name only. Not one dollar of gold has crossed the Atlantic, and the banker no doubt payed Felton in bills. What was the base of the transaction? Brown of Liverpool wanted American flour, and Stewart of New York wanted Liverpool and London silks and other goods.

Nobody wanted gold, and while these two great transactions were going on, gold lay idle in the vaults of banker Smith, while the bill of exchange and the paper currency did the work. The real wealth was the American flour and the English goods. The real circulating medium was the bill of exchange, and the paper currency in which Smith paid Felton, and not gold. Then why not have the circulating medium backed up by the products of the two countries, which we all want, and dethrone this middle man, gold, which no one really wants? Ten dollars issued by the government of the United States payable in wheat, corn, rye, rice, cotton, gold, silver, and other products of the country at the current or market price, would be as acceptable in Europe as a non-interest bearing bond for the same amount, redeemable in gold. The idea may be ridiculed by some, as theories contrary to pet notions usually are, but it is no more ridiculous than a daily expenditure of $1,050,000 to procure a medium of exchange that could be procured for $250. It is no more foolish than to pin the faith of the mercantile world to a metal that, it is not beyond the possibilities, may become so cheap by discoveries and inventions as to have little commercial value, while on the other hand, may become extinct. It is neither a necessity nor a luxury, and save in the arts and for chemists, surgeons, and dentists, is one of the most worthless of all the metals. It neither covers the body nor supplies it with nourishment, but is the cause of untold misery. While claiming to do all, it does nothing. It lies in its velvet lined vault, and sends out its servants—the honest bills of exchange, bank notes, and certificates—to perform the labors it is supposed to perform. It is an impostor, in that it usurps the place of corn, wheat, silk, wool, and cotton, in claiming to be the wealth of the commercial world. Will some patriotic, brave congressman devote less thought to next year's election, and more to the solution of this problem, and answer little Paul Dombey's question:

"What is money?"

JOHN R. MUSICK.

AN ALLEGED STATE DUTY.

BY H. C. BLACKWOOD COWELL.

TO THE student of sociology, a careful investigation of the growth and persistence of political and religious beliefs would undoubtedly reveal many interesting truths; among the first of which would probably be that a complete change of name does not always denote a complete change of nature. This would become manifest along with the difficulty of determining the beginning of any special creed. For instance, in treating of Christianity, to commence with, the birth of Christ would, on analysis, be found to be an arbitrary proceeding. At the outset a striking parallel would be afforded in the account from H. G. Lewes's "History of Philosophy," of the fabled birth of Plato, who "was said to be the child of Apollo, his mother a virgin. Ariston, though betrothed to Perictione, delayed his marriage because Apollo had appeared to him in a dream, and told him that she was with child." The Hindoos would supply a *Trimurti* and from the *Mahabarata*, as quoted by Spencer in his "Principles of Ethics," a golden rule: "Treat others as thou would'st thyself be treated."

Thus the fundamental tenets of most religions might be traced backward until lost in the darkness of prehistoric times. Beliefs disappearing in some forms would, in greater or less disguise, reappear in other forms.

Out of nothing, a universe, a solar system, an earth, beasts of the field, fowls of the air, fishes of the sea, creeping things of the earth—fully developed; ready to walk, to fly, to swim, to crawl, in docile Indian-file to be named by man. All out of nothing!

Such are some of the assumptions and implications of a widely accepted creation hypothesis. And closely allied to the

above is the still prevalent creed of the omnipotence of the state. The state touch is the cure for all social evils. Out of thriftlessness can it produce wealth; out of immorality, universal happiness. This kinship of church and state becomes intelligible when we go back with Spencer to their common origin—the savage chief, unreservedly obeyed while living, and reverently worshiped when dead. For indubitably from such a cell have evolved the vast flora and fauna of religions and politics. Though from the living savage to the president of the United States, and from the dead savage to the Christian Deity are innumerable steps. Until quite recent times, the union thus originated has been well preserved. Now, to the regret of many, it is being slowly dissolved. In this way we came to have our deities—one of heaven represented by the church, one of earth represented by the state. Both all-powerful, all-wise, all-just, all-loving, preserve their sway and dignity by awe-inspiring titles, ceremonies, language, dress. Both indefinable, or but vaguely definable, act in ways mysterious, arbitrary. Their morality is not the individual's morality. Thus, the state "wars," where the individual murders; "taxes," where the individual robs; "protects," where the individual aggresses; "pardons," where the individual makes redress. In like manner the Deity of heaven creates life which feeds on life, and is called "good"; destroys by famine, pestilence, flood, storm, and is said to "visit"; boasts himself a man of war, jealous, vengeful, and is not reprobated; afflicts children for their parents' sins, and is named "The Just"; "to eternal tortures" consigns his opponents, and is accounted "merciful." But slowly progress is bearing to destruction these aged, twin-born gods of the world as represented by church and state; or rather, in the process of evolution the state is being transformed into an association for the preservation of equal freedom, and the church into a school of scientific ethics, which shall teach, not a conventional approval or disapproval of actions determined by myths, majorities, customs, fashions, and manners, but a philosophical approval or disapproval of actions determined by the laws of social life.

Now the supreme social law which the transformed church shall teach and the transformed state maintain, is that "every man is free to do that which he wills, provided he infringes not the equal freedom of any other man." After half a century spent in establishing, by irresistible evidences, its claim to supremacy, Herbert Spencer summarizes his work as follows:

> Two deductive arguments and three inductive arguments thus converge to the same conclusion. By inference from the laws of life as carried on under social conditions and by inference from the dicta of that moral consciousness generated by the continuous discipline of social life, we are led directly to recognize the law of equal freedom as the supreme moral law.

For the first time the world has a scientific basis for justice to rest upon. Ultimately by this law must all questions of justice be decided, all statutes judged, and legislators held to answer. To it shall dynasties bow; and by regarding or disregarding it shall nations survive or perish. Upheld by it the lowliest individual may arraign the last and mightiest of the deities of earth—the Majority—savage chief of Democracy.

It is evident, then, that justice requires that freedom be equal; and further, that it be as great as possible; for if not, instead of equal freedom there is that equal enslavement so often vociferously demanded in the name of justice. And in order that freedom be equal and greatest, it is necessary that the satisfaction of each individual's desires be directly or indirectly effected by his own efforts or the voluntary efforts of others; and that, as a general rule, the possession of the proper desires and the ability to satisfy them be the *sine qua non* of happiness: lack of the proper desires or the ability to satisfy them resulting in misery. Owing to the prevalent confusing of justice with generosity which betrays some reformers into the absurdity of advocating the enforcement of beneficence, or even munificence, it is necessary to emphasize the fact that justice, without considering whether the capacity for strength or weakness, for wisdom or folly, for thrift or sloth, be inherited or acquired, permits the strong man to gain by his strength and the weak man to lose by his weakness; the wise man to have the rewards of wisdom and the fool the fruits of folly; the industrious to enjoy the pros-

perity of thrift and the lazy to suffer the poverty of sloth. We will now consider whether expediency prescribes what justice thus permits.

In his "Descent of Man," Darwin remarks that, "excepting in the case of man himself, hardly any one is so ignorant as to allow his worst animals to breed."

Now, though justice suffers the worst men to breed, it also permits them to be superseded by the best; as would happen were not the best continually handicapped by measures which, in effect, encourage the breeding of the worst.

And in his remarkable essay on "The Duration of Life," as translated by A. E. Shipley, Weismann argues thus:

> Wornout individuals are not only valueless to the species, but they are even harmful, for they take the place of those which are sound.

Obviously the foregoing reasoning still holds if we say: Weak, foolish, lazy "individuals are not only valueless to the species, but they are even harmful, for they take the place of those" who are strong, wise, industrious.

Similar in effect is the following passage from Spencer's "Principles of Ethics":

> As already said, the law that each creature shall take the benefits and evils of its own nature, be they those derived from ancestry or those due to self-produced modifications, has been the law under which life has evolved thus far, and it must continue to be the law, however much further life may evolve. Whatever qualifications this natural course of action may now or hereafter undergo, are qualifications that cannot, without fatal results, essentially change it. Any arrangements which in a considerable degree prevent superiority from profiting by the rewards of superiority, or shield inferiority from the evils it entails—any arrangements which tend to make it as well to be inferior as to be superior, are arrangements diametrically opposed to the progress of organization and the reaching of a higher life.

From the foregoing quotations it may readily be seen that it is inexpedient that the inefficient be maintained at the expense (though voluntarily incurred) of the efficient; while to compel the efficient to support the inefficient is a gross violation of equal freedom. Nevertheless, at times the incompetent may with advantage to society be assisted in such ways as render them more competent: provided always that the assistance be freely given.

We are now prepared to enter upon a direct consideration of our subject: the duty of the state to furnish work for the unemployed as alleged in one of the prayers, or rather irreverent demands to it, to carry out the supposed will of the Majority—God.

"Times," say the allegers, "are hard. Men are out of work. They have a right to be employed. If no one else will employ them, it is manifestly the duty of the state so to do."

Such allegations, variously and frequently expressed in Germany, France, Great Britain, Australia, and America, we intend here to examine. For whenever such a false and insidious doctrine finds so many adherents, it becomes necessary to show repeatedly how false and insidious it is.

"Times," they say, "are hard." And then it is seriously implied that labor which private enterprise with its economy born of self-interest and nourished by competition, could not use, the state, ever being convicted and reconvicted of prodigality, could use. It is proposed that so-called public work, which in times of relative prosperity was considered either too trivial or expensive to be undertaken, should now be entered upon.

"Men are out of work." True. But why? The lazy and incompetent, chiefly because lazy and incompetent; the industrious and competent, chiefly because freedom is not the greatest justice permits. This because men generally are not sufficiently intelligent to appreciate equal freedom, nor moral enough to spontaneously observe it.

"They have a right to be employed." Without discussing the many vague connotations of the word *right*, it will suffice to say that in order to realize the greatest social happiness, certain essential conditions must be fulfilled. Happiness, as Spencer points out, consists in the exercise of faculties; therefore, to be happy, men must be free to exercise their faculties; and the freedom of each must be as great as is consistent with the equal freedom of others. Then, if social happiness be the *desideratum*, it is right that men enjoy such freedom. Thus men's "rights, truly so called, are corollaries from the law of equal freedom, and what are falsely called rights are not deducible from it."

And among the principal of these corollaries is the right of "free contract."

Now it is evident from what follows that "a right to be employed," as here alleged, implies the right of one man to compel another to employ him; or that some men may rightfully be compelled to employ others. But those who are forced to employ are not free to contract. The right of "free contract," therefore, negatives the so-called "right to employment."

"If no one else will employ them it is manifestly the duty of the state so to do." Already this has been disproved, but for the sake of completeness let us briefly consider it.

Where is the necessary capital to be obtained? Can the omnipotent state make it out of nothing, or the unemployed furnish it? If not, it must come from the employed working men, business men, professional men, property owners, etc. That is to say, money belonging to A, B, C, D, etc., may be forcibly taken to provide work for X. Men, reluctant, so they say, to receive charity, request, nay, demand, that robbery be committed in their behalf. Justice has often been defined as the giving to each that which belongs to him, but the defining of it so as to include the taking of that which belongs to one and giving it to another was reserved for the state socialists.

But it may be said that property was unjustly acquired, which, as freedom has been unequal, is true. Also unjustly acquired, however, have been the wages of workmen in receipt of portions of such property. And justice requires, not that the state employ the unemployed, but that it restore such property to whomsoever it in equity belongs, whether employed or unemployed—a super-Herculean task. The past all-contaminating injustice being, in the main, irremediable, for the future, it is possible and necessary that the state, in obedience to the laws of progress, ceasing to be parent, banker, mail-carrier, etc., become specialized as the enforcer of equal freedom: thus changing from a jack-at-all-trades to a master of one.

The falseness of the allegation as a whole being now apparent, let us turn to its insidiousness. A few words will suffice. Sympathy being aroused by the distress of the unemployed, in

an evil day the state makes work for them. Day by day the number increases, until, finally, the state becomes the sole employer of labor. Beneath the disguise of "relief for the unemployed" may be detected the thin end of the wedge of state socialism, the architects of which calmly propose to "repeal by act of Parliament" every "law of Nature" at variance with their design. And we must beware lest, being asked the "wonderful" question, "Whither do we tend?" we have to answer, "Toward state socialism." For every day this "new hope" grows in popularity. Trades unions—societies for the enslavement of employers and employees—are becoming imbued with it; and are relinquishing their unscientific conceptions of justice and economics for conceptions still more unscientific. A few typical examples of unsuperseded "union" principles may here be mentioned.

Among trades-unionists it is common to regard a "job" as a species of property of which one workingman may "rob" another.

An employer is often required to justify himself for discharging an employee, although it is obvious that, in the absence of any contract to the contrary, when specified wages have been paid for specified work performed, the one is free to discharge and the other to quit.

It being a dictum of a certain union that the foreman, not the employer, should employ, severely reprobated as "irregular" was the conduct of a young man who, by applying directly to the owner, secured a position in the printing establishment of an old family friend.

Discussing the proper punishment of a criminal convicted of an extremely gross outrage, an "intelligent" compositor suggested that he be bound fast to the inventor of the type-setting machine and the "bundle" thrown into the bay. This was at first loudly applauded and then seriously approved.

But now all these crude notions are being changed. The "new hope," the "new ethics," and the "new economics" of state socialism are revolutionizing the labor world. And the masses are being educated. But how? By men who childishly

play in the shallow pools by the Sea of Knowledge—now weaving arguments, or building theories, of sand; and then noisily splashing. By men who, less wise than children, venture out of their depths; and, scorning science, embark without rudder or compass; and driven before the winds, drifting hither and thither, pick up the flotsam of ideas. By men, blindly loving and lovingly tyrannical, who, like Mrs. Barr's "good" mothers, would "compel" a "cheerful obedience" to the will of the Majority. Very eloquently and learnedly these leaders of the masses support their assertions with quotations from "Looking Backward," and speak of "justice" as "Spencer's latest dime-novel." In their opinion, Bellamy, disregarding science with more persistence than any other writer since the days of Münchhausen, is a philosopher; Herbert Spencer, from the dust of data forming living generalizations, a dime-novelist! To their eloquence and learning there need only be added their faith. They believe that, at the word of the state, the evils from which the unemployed now suffer would immediately be removed. And it may be that thus their particular devils might be cast out; but somewhere some honest man would mourn the loss of his herd of swine.

Nowadays it is popular to eulogize the workingman—to ascribe to him all the virtues. In the mouths of poets and populists he is honest, intelligent, independent; but in truth he is not such. It is also the fashion to decry the millionaire—to depict him as an inhuman monster. In the mouths of poets and populists he is thief, rogue, fiend. But in truth he is none of these—at least not by comparison with the masses. Of course, compared with the perfect man and viewed from the standpoint of absolute ethics, he suffers much; but not more than the wage-worker. And while we must regard the millionaire as a rank, unhealthy growth, we must also recognize the fact that the soil in which he flourishes is manured with the dishonesty, ignorance, and servility of the working-man. The difference between him and the proletariat is not in business morality, but in business ability. Dives and Lazarus are giant and dwarf of the same moral species. And in many ways the full-grown

millionaire is less disgusting than the abortive one. Having lost his savings by dabbling in stocks, the workingman reviles the Mackays, while a decrease in the value of some other property in which he has speculated may cause him to anathematize the Astors. Yet every tyro in sociology must have observed the remarkable resemblance which the average workingman bears to a millionaire in a state of arrested development.

By enlargement and equalization of freedom; by conformity to the laws of progress; by fulfillment of the conditions essential to happiness—and not by any adminstration of the Brummagem* specific—may life be made worthier the living. And worthiest shall it be only when the good gardener Competition, with free and ungloved hands, shall have weeded out the socially unfit—when forever shall have "passed away this contemptible superstition that, having the power, the majority have the right to do as they please with the persons and property and actions of those who happen to be in the minority."

H. C. BLACKWOOD COWELL.

* The "divine right of the majority" is well known as the "Birmingham doctrine." Brummagem—the popular name of Birmingham—is a term of reproach—connoting spuriousness—and is applicable to a "golden" specific which, on analysis turns out to be extremely brazen.

CHINA'S METHOD OF RESTRICTION.

BY REV. GILBERT REID, A. M.

IN THE dealings of one nation with another, the policy may be either one of retaliation or one of reciprocity. The former is essentially a warlike measure; the latter is one of peace, amity, and mutual good-will. The former emphasizes the restrictions which the one nation makes for another; while in the latter mutual favors are the aim of both nations. Retaliation belongs to the old dispensation merging into the twilight, where "an eye for an eye and a tooth for a tooth" is the form which fairness and equality assume; but reciprocity arises in its supreme excellence, in the full light of a gladsome day, declaring the new and better message, "Whatsoever ye would that men should do to you, do ye even so to them."

No other two countries can be found, save China and the United States, with so many subjects of the one residing in the other—over 100,000 Chinese in the United States and still the subjects of China, and over 1,000 Americans in China and still the citizens of the United States. Any question, therefore, which alike affects the interests, reputation, and welfare of these two countries may be reckoned as a vital international problem.

All legislation in the United States concerning Chinese immigration must be chiefly shaped by those who are the most closely concerned. As the "Chinese question" affects the Pacific Coast, and especially San Francisco, far more than most of our cities in the East, the rights, peace, and security of our fellow-countrymen in the West cannot, and should not, be ignored. Neither should they ignore the rights of others, nor those broader interests which concern the whole nation, and, in fact, two of the greatest nations on the globe, this young republic of the United States and the old empire of China.

The sound settlement of the "Chinese question" can only be reached by widening the scope of observation, so that peculiarities, commendable or vicious, as they arise in China may be equally noted with those in the United States. In dealing with Chinese we may learn from China, as we have always urged her to learn from the West. The ethical Confucianist may teach the spiritual Christian—or rather the man who has no religion—and so help to the true solution of a very complicated problem, so much complicated that it has annoyed not only both Houses of Congress, but the chief executive, with the secretaries of state and treasury, the attorney-general, and finally the Supreme Court of the United States.

The mass of all foreign residents in China are limited in their residence to certain treaty-ports, numbering twenty-two at the present time. Furthermore, they are allotted a certain small territory, and so called a "concession," where they may buy and hold property in their own names and erect buildings according to their own free will, be the style of architecture native or foreign. Beyond these limits, foreigners in China have no such liberty. In several of the treaties, notably the American treaty, it is indicated that the wishes of the Chinese people must be consulted, and that the ground for the "concession" must be agreed upon in consultation with the Chinese authorities. As a result, the territory allotted the English, French, and Americans in Shanghai was originally a low, damp piece of land outside the city limits of the native city. So the foreign "settlement" in Tientsin, the leading treaty-port in the north, was practically a swamp, which the Chinese reckoned as undesirable for themselves, but suitable for the "foreign devils," as respectable foreigners are familiarly termed.

So much for one form of restriction. But with it let us also recognize the favor. The restriction, first of all, was settled by treaty, or, in other words, by the mutual agreement of the two nations concerned. In addition, the choice of location is not arbitrarily settled by the Chinese government alone, but in consultation with the official agents of the foreign power, while, in fact, in many cities the foreigners may purchase property with

as much ease as the Chinese themselves. Finally, it should never be forgotten that in these foreign "concessions," foreigners rule themselves, and that all foreigners in China, according to an established principle of ex-territoriality, are subject to their own governments and not made liable to the laws of China.

A second kind of restriction is seen in the passport system of China. Every foreigner who desires to travel beyond the limits of the treaty-ports must first secure a passport. This passport implies the registration and identification of the particular foreigner. It tells his age, height, the shape of his profile, the color of his hair and eyes, the kind of whiskers, and all other peculiarities necessary for a correct identification. The passport also limits the foreigner to travel within four or five provinces, of his own free will, and does not extend the right to all the empire. Neither does the passport, at least as issued for an American citizen, grant residence or guarantee the right to trade or hold property, but guarantees solely the right to travel.

So much for the restriction. Now for the favors connected therewith. First of all, the regulation is established by treaty, and is not an arbitrary, independent demand of China. Secondly, the requirement is made of all foreigners, without exception of nationality or class, and is not a partial regulation for merely the Americans in China. Thirdly, the passport issued has the name and seal of the representative of both governments, and not merely of China. Surely such a uniform regulation agreed to by the governments concerned, and established by treaty, is a very different thing from the registration of Chinese laborers, and no others, required by our modern legislators in America.

In noticing another restriction of foreigners in China, the favor extended must be viewed, not separately, but in connection therewith. While foreigners have been limited as a mass to the treaty-ports for residence, and to larger sections of the country for travel, the Chinese government has shown a large measure of religious toleration, and as a result foreign missionaries reside in the interior, while foreign merchants are not allowed this privilege. This action was partly due to a clause in the French

treaty of 1860, found in the Chinese version but not in the French, and known to be surreptitiously introduced by the French priests, which stated that the French Roman Catholic priests could purchase property in all of the eighteen provinces of China. This action was also due to the decision of the Chinese government, guaranteeing protection in teaching and professing the Christian religion and practicing its rites. It was, therefore, a favor to Christianity, rather than to Christian nations; to the Christian, rather than the foreigner. The foreign missionary gained privileges more because he was a missionary than a foreigner.

The foreign missionary being granted these favors, there were added restrictive regulations therewith. In purchasing property away from the treaty-ports, he is not allowed, as a general rule, to purchase in his own name, but only in the name of the local Christian church. The Chinese government allows buildings for the prosecution of the Christian religion, rather than for the personal benefit of the foreigner. The property purchased must also be secured according to Chinese usage, and the deeds must be properly registered and stamped with the official seal.

Restrictive as these regulations appear, there are also certain favorable circumstances. The privilege extended is due as much to the Chinese generosity as to foreign compulsion. Furthermore, the privilege, at least at present, is extended to all foreign missionaries, and not merely, as at the outset, to the Roman Catholic priests under the protectorate of France. Again, the regulation established was done in consultation with the foreign agents, and the different pieces of property purchased recognize the consent of the foreigner himself. Lastly, the toleration to the Christian religion is established by treaty, and in accomplishing this result, so full of benefit, two Americans, Drs. Wells Williams and W. A. P. Martin, acting with Minister Reed, were the chief agents.

Once more the restrictive policy of China may be seen in the countless annoyances brought on the foreigner, the opposition which again and again appears, and in riots which reached a culmination in 1890 and 1891. Having personally passed

through three riots, and in one knocked into partial unconsciousness, the significance of the restrictions is not altogether a dream. Having also been hampered for over six years in the efforts to secure the requisite property for mission purposes, the Chinese capacity to restrict is fully realized and ought not to be overlooked.

With these restrictions there are abundant evidences of favors. The emperor of China issued amid the anti-foreign riots of 1890 a new edict, acknowledging the good work of the missionaries and commanding from his political servants greater protection for the Christian religion. It should also be appreciated that the opposition in the past has not been specially directed against Americans, but against all foreigners. Aye, Americans here ranked, until the past few years, as the most friendly and honorable of all the western powers. Sad be the day when we belie our record and ignore the value of a fair name or the honor of one's country!

From this review one point is made clear: Whatever the international issue between China and the United States, a settlement by treaty should be the policy pursued. If it was important for China to make treaties and observe them, it is still important for the United States. On the fourth of July, 1892, the United States minister in Peking sent to the foreign office copies of the Geary bill and the regulations of the secretary of the treasury. In the reply of the Chinese minister of state reference was made to the third section in the law, which required of the Chinese stopping in the United states "some substantial proof of his right to do so." They argued in the following acute way: "We find that Chinese laborers went to America on the strength of the Burlingame treaty of 1868. If the government of the United States desire, therefore, 'substantial proofs,' we would refer it to that treaty, which is the most substantial of proofs. . . . The government of the United States, at the present day, by its desire not to abide by treaty obligations and by endeavoring by the use of arbitrary force to effect its purposes, has all the appearance of violating the spirit of its own Constitution."

I affirm that the only honorable and safe method for settling

the "Chinese question," in memory of past teachings and actions, is by a new treaty, agreed upon not by popular clamor, but by calm diplomacy. For us to refuse to confer with the Chinese and agree on a treaty is either a plain acknowledgment of our incapacity to meet the skill and match the finesse of Chinese diplomacy, or an open confession of the intention to be dishonorable, ignoring all the wishes, sentiments, and protests of another treaty power.

If we desire to retaliate, we may restrict the Chinese as they restrict us; but would retaliation be as creditable a policy as one of open reciprocity? If the latter be the wise one, in harmony with our past history and glorious record, then we should seek to extend favors to the Chinese as they extend them to Americans. Yea, we should exceed them, that China may be stirred to larger favors and broader reciprocity. China *may* retaliate, but we hope she will detect our better sentiments of magnanimity and reciprocity, and imitate them to a larger fulness for the peace, security, and eternal gratitude of every foreigner in China, whatever his nationality. If restrictive measures are necessary, let us not, in opposing coolies, contract laborers, and highbinders, insult the Chinese mandarins, *literati*, and even the emperor. Let us respect China enough to consult with her, and in consulting, respect her views, wishes, and claims.

GILBERT REID, A.M.

THE STANDARD OIL COMPANY.

BY HON. CLARK WAGGONER.

THE readers of *The Forum* for May, 1892, were furnished an article by S. C. T. Dodd, Esq., presenting that gentleman's view of corporate and other combination of capital for business operations, with the purpose of correcting what he understands to be general misapprehension as to the nature and results of such agency. Without stopping to consider the historical points of the question as thus set forth, I have deemed it proper to present some facts and suggestions touching the business combination (the Standard Oil Trust) which Mr. Dodd seeks specially to defend from alleged unjust popular feeling. It is proper here to state that the gentleman's relations with the corporation named specially qualify him for presenting its case in the most favorable light.

The Standard Oil Trust of New York (the creature of the Standard Oil Company of Ohio), was organized in 1882, with capital stock of two hundred millions of dollars ($200,000,000), being by far the greatest in extent and the most powerful organization that ever existed on the earth. While it came to embrace fifteen different corporations, instituted for special service and common ends, with more or less stock in others, it had but forty stockholders with absolute control of all in the hands of nine persons, owners of the majority of the $200,000,000 of stock, whose transactions were not shown by record, as required by law of corporate bodies. Hence, there was nothing to indicate the plans, methods, or means of the great corporation, save as shown in the action of such irresponsible directory.

Mr. Dodd sets forth the paramount object of his writing, as follows: "The main purpose of this article is to show how one Trust decreased prices," and then proceeds with brief statement

of the discovery of and earlier operations in oil, stating that little progress was made in the business until 1872, when the Standard Oil Company first was fairly in operation. During that year the total output of refined oil in the United States, was 248,000,000 gallons, the average price being 23.5 cents per gallon; whereas, in 1890 the production had advanced to 13,027,000,000 gallons, while the price had fallen to 7.3 cents. Crude petroleum, meantime, was reduced from $4.00 to $0.87 per barrel in price. Such changed conditions are attributed to different causes. First, to extraordinary development in oil production; second, to improved methods in refining; and third, to enlarged means for transportation between wells and refineries, and thence to markets at home and abroad. The actual cost of refining has been reduced, since 1872, some 66 per cent; residuum, formerly valueless save as fuel, is now utilized in different ways; barrels, at first costing $2.35, are now supplied at $1.25 each; tin cans are now 15 cents each less; with corresponding reduction in outlay for paint, glue, stills, tanks, pumps, and pipes. All these results, as we are informed, are due to the energy, capacity, and unselfish enterprise of the nine persons controlling the business of the Standard Oil Company and its trust.

Had Mr. Dodd sought facts and figures anterior to the Standard Oil Company's advent, he would have found reductions in cost and prices then to have been far greater than those which he attributes solely to that corporation. Thus, at the outset of oil development (some 12 years earlier than his date), petroleum was sold in large quantities at $18.00 per barrel; while refined oil cost $1.00 per gallon; showing, between 1860 and 1872, a reduction of $14.00 in the price of the former, and 76.5 cents in that of the latter, against $3.13 and 16.2 cents, respectively, credited wholly to the Standard Oil Company. It would seem that some consideration at the hands of the historian was due to pioneers in the oil business, by whose enterprise, energy, and skill had been caused an advance involving such reductions in prices, and in development indicated by an annual output of 248,000,000 of gallons of refined oil.

As if to meet the point so certain to rise in this connection, Mr. Dodd says: "While the price of oil has thus been lowered, competition has not been destroyed, but is vigorous and effective." As a matter of fact, this is true; but it does not follow, that for the reduced price of oil, or that "competition" is yet permitted, the public are to thank the Standard Oil managers, since their record is marked, more than for anything else, by the extreme, unjust, and persistent means employed to prevent both reduction in price and competition in business. The Standard Oil managers have not been such incompetents in business, as to neglect whatever was within their power to increase both the quantity and the market value of the article in which they dealt, as also to cheapen its cost to themselves. There was in all that nothing different from the policy of dealers in all property from the beginning of trade. Competition is the mother of all this. But is it to be supposed that the shrewd managers of that business would not at any time add one, five, or ten cents per gallon to the price of their oil, if they believed such policy could be made successful? That such advance is not now undertaken, manifestly is due to the belief on their part, that it would not prove a financial success. They no doubt see in home competition thereby to be strengthened, and even more in the vast Russian supply awaiting importation (which the Standard Company now seeks to repress in Europe), an obstacle to increased rates too serious to be overcome by any means within their power. Corporations, as individuals, are judged, not by results of their action, but by what they seek to accomplish. Organized, persistent rebellion in the South was overruled for the highest good of both sections of this country, as it was for both races concerned; but the Confederate managers can hardly be credited with seeking such outcome of their disloyalty and war against the Union. What have been the Standard Oil Company's policy and action as to the oil trade, will be found indicated by the series of facts herewith submitted.

The Standard Oil Company was organized in 1870, with a capital stock of $1,000,000, at Cleveland, Ohio, where there

were some twenty competitors in the oil-refining business. At the outset, it had little, if any, advantage over its rivals, in either methods or means of business, but early turned its attention to special agencies. Prominent among these were combinations with railways for mutual advantages, to an extent then unknown. The nature of this policy will be understood from brief statement of a few among many known cases.

One of the subordinate corporations created by the Standard Oil Company for special uses, was the South Improvement Company, having in view the control of the freight business of the oil regions. So successful was this agency, that its managers were able to induce three trunk railway lines (the Pennsylvania, the Erie, and the New York Central) to make a secret contract, under which they were to have on all their freight bills rebates ranging from 40 cents to $3.07 per barrel of oil; while they were guaranteed "against loss or injury by competition" of other shippers. They also were to receive rebate on all oil carried for other parties. Unexpected exposure, followed by emphatic protest from oil producers, prevented execution of this scheme.

In 1874 the railways fixed the uniform rate of $1.90 per barrel for transportation from all refineries, regardless of distance. This was a discrimination in the interest of the Standard of 250 miles of haul, and with other special advantages, practically excluded all other Pittsburgh refineries from the eastern markets. For a time, the Baltimore & Ohio Railway refused to join the other lines in such arrangement, but placed the Standard on terms of equality with other oil shippers. Such embarrassment to the Standard managers was soon overcome under an arrangement including special concessions to that road by the three other lines named, in the way of rates on live stock and grain from Chicago, in consideration of which the Baltimore & Ohio road wholly withdrew from the Pittsburgh oil business, with the result that the Standard, by virtue of its advantage in transportation, was enabled to sell oil in New York at less than first cost at the refineries with open freight rates added. The result, of course, was almost entire destruction of

independent refineries. This secret compact was exposed by a New York investigating committee, which found that, in 1875, the New York Central and the Erie roads stipulated to transport oil for the Standard for the lowest net rate, and in addition to pay the same and its affiliated corporations a rebate of ten per cent on all shipments of oil, by whatsoever parties which had aided the Standard in defeating legislation in behalf of free competition in the oil trade. The result of such state of things was almost complete ruin of the Standard's rivals in business.

In 1877, the Standard was enabled to buy out crippled refineries at the East, including their cars, pipelines, and oil territory, thus, with its advantages in railway transportation, giving it absolute monopoly of business at the wells, the refineries, and the market.

The next object of the Standard's attention was the Columbia Conduit Company, having its own pipeline from the wells to Pittsburgh. Through manipulation of the Pennsylvania and Baltimore & Ohio Railways, this company was wholly denied transportation of its oil to the seaboard, and this was compelled to sell out to the Standard, when its pipeline, the only one between the wells and the Pittsburgh refineries not controlled by the Standard, was torn up. By this operation the Standard became absolute master, in both refining and marketing oil. Thus, the result of four years' bitter resistance to the Standard's unrelenting warfare, was a choice between dictated terms of surrender and courts in bankruptcy, the Standard, meantime, having aggregated $30,000,000 in profits, chiefly the reward of agencies employed for crushing rivals in trade.

In the case of Taylor *et al. versus* The Standard Oil Company, it was shown that the defendant was allowed a rebate of $1.00 per barrel of oil by railroads, which alone in the space of eighteen months amounted to the enormous sum of $10,000,000. It was further found that the profits of the Standard's business consisted almost wholly of levies upon competing refineries, enforced through railways. The Standard had been given the power for parcelling out traffic, not only between the railways, but even shipments made to different seaboard cities. Thus,

New York was allowed sixty-three per cent of aggregate shipments, divided among the three lines named, in equal shares; while of the remaining thirty-seven per cent, the Pennsylvania road was to have twenty-six, and the Baltimore and Ohio eleven—the Standard, as its share of the plunder, receiving a "commission" of ten per cent on the entire traffic. Thus were oil producers and oil consumers alike absolutely turned over to custody of a merciless master. It having been found that some refiners were able to pay the ten per cent levy and still compete for business, the Standard, through one of its sub-corporations (the American Transfer Company), demanded of the Pennsylvania Railway the advanced "commission" of twenty cents per barrel on all crude oil transported for others. The New York Central and the Erie roads allowed the Standard twenty to thirty-five cents per barrel.

At this time—in Cleveland, Pittsburgh, Baltimore, Philadelphia, New York, and Boston—the Standard controlled ninety-five per cent of refining capacity, all pipelines, and one sixth of the producing territory in the country; and by its control of the four great railways, and an unlimited corruption fund, it was practically master, not only in the oil trade, but largely in legislation in the three great states of New York, Pennsylvania, and Ohio. At one time the oil producers and refiners undertook to provide themselves with a pipeline to Pittsburgh, and sought of the State Legislature required authority, when the Standard interposed and prevented such grant. So strong became popular sentiment in the case, that a large meeting of citizens assembled in support of the proposition, which was promptly packed with lawless employees of the Standard's refineries, who, under leaders detailed for the purpose, howled down every speaker advocating freedom in the oil trade. At the same time, local presses opposed the object sought, on the ground that the Standard would not do business in Pennsylvania, if compelled to do so on equal terms with others.

In 1879, a free pipeline was secured through Pennsylvania to a railway then not under Standard control, and thence to the seaboard. At once the Standard managers devised a plan,

whereby the "open rate" on petroleum was reduced—first, from $1.90 to $1.15, then to 80, and then to 30 cents; while the Standard was given a special rate (for private use) of 20 cents per barrel. As result of such warfare, the seaboard pipeline was compelled to sell out to the Standard, which thereby not only renewed its monopoly, but was enabled to deliver at the seaboard 2,000,000 barrels of oil at twenty cents freight, under contracts based upon an average freight of $1.25 per barrel—thus, from that source alone, securing a profit of $2,000,000, besides corresponding saving on all other seaboard shipments.

But the Standard's policy of monopoly is not limited to refining or transportation of oil. It has been no less relentless as to trade in oil. Its system employs as complete espionage as is possible over the entire wholesale and retail trade of the country. The case at Columbus, Mississippi, is an illustration. Grocers there presumed to sell oil not supplied by the Standard, and dared to continue such action after the threats of vengeance; when the Standard opened a general grocery store and sold goods below cost, in order to ruin the trade of the contumacious dealers, and compel them to buy the Standard's oil. But so strong was public sentiment there, that such warfare on commercial rights failed of its purpose.

In 1888 the Buffalo Lubricating Oil Company brought suit against one of the Standard's side corporations (the Rochester Vacuum Oil Company), and on trial it was shown that the agents of the latter enticed away the manager of the plaintiff's works with threats and bribery; that they had secured delivery of adulterated oil to the plaintiff, and had brought against the same vexatious suits at law. It was further shown that an employee of the Standard had tried to induce the manager of the plaintiff's works to leave the same in such condition that they might be blown up. The result of this suit was a verdict against the Standard's representative for $20,000 damages.

In a Cleveland case it was shown that an officer of the Standard undertook to bribe the bookkeeper of an independent oil firm to betray the names of its customers and other particulars of its business.

A coal merchant in Ohio, having spare room, bought lubricating oil from an independent refiner, when the Standard went into the coal trade, and sold that article at less than cost, until the dealer was forced to abandon that branch of his business. This policy of the Standard in time came to be so generally understood that few dealers in any department of trade dared to sell oil, save that of the Standard.

In February, 1892, report was made of an attempt by managers of the Standard, through a skilled draughtsman, to steal the plans and processes employed by a soda ash company at Syracuse, N. Y., for use by the Standard in a like establishment at Louisville, Ky.

In 1891 the minister of commerce of Germany was called upon to investigate charges made by German oil merchants, that the Standard Oil Company, having secured monopoly of the German oil market, was oppressing them by preventing them from obtaining Russian oil, through a combination with the Rothschilds, by which the latter refused to supply Russian oil to dealers in Germany.

Appeal was made to the Ohio Legislature by the independent refineries of Cleveland for authority to construct a pipeline from that city to the Pennsylvania oil fields. As ground for such request, they showed that the Standard Oil Company had a combination with the railways, whereby such refiners were compelled to pay thirty cents per barrel on oil from the wells to Cleveland; whereas the Standard, by means of its pipelines, was supplying the Cleveland refineries at a cost of ten cents. Such was the power of the Standard with the Legislature that relief was denied.

A free pipeline was laid from the oil fields to Pittsburgh in 1884, despite resistance from the Standard. The same being completed, the Standard, as a matter of vengeance, directed its agents at the wells to pay ten to twelve cents per barrel above market rates for oil delivered to its pipeline.

The case of Handy *et al.*, trustees, *versus* Cleveland & Marietta Railroad Company, in the United States District Court ("Federal Reporter," Vol. XXXI., pp. 689–693), supplies a sample

of Standard policy of special significance. The points in the case were well stated by Judge Baxter on the trial, as follows:

> The Standard Oil Company and George Rice were competitors in the business of refining oil; each obtained supplies in the neighborhood of Macksburgh, a station of said railroad, from whence the same was carried to Marrietta or Cleveland, and that for this service both were equally dependent upon the railroad, then in the hands of a receiver.
>
> It further appears that the Standard Oil Company desired to "crush" Rice and his business, and that under a threat of building a pipeline for the conveyance of its oil and withdrawing its patronage from the railroad, O'Day (one of its agents) "compelled" Terry, who was acting for and on behalf of the receiver, to carry its oil at ten cents per barrel, and charge Rice thirty-five cents for like service, and pay the Standard Oil Company twenty-five cents out of the thirty-five cents they exacted from Rice, "making," in the judgment of the receiver, "$25.00 per day clear money for it [the Standard Oil Company] on Rice's oil alone."

In an equity suit (Commonwealth of Pennsylvania *versus* The Pennsylvania Railroad Company), in 1879, A. J. Cassatt, in charge of the transportation department of the railroad, testified that the Standard Oil Company was receiving, over and above current drawbacks, the following rebates and allowances: Forty-nine cents per barrel on crude oil from the Bradford oil region to tide water; 51½ cents per barrel on crude oil from the lower oil region to tide water; and 64½ cents on refined oil from Cleveland to tide water. In the year 1878, the railroad shipments of oil had reached 13,700,000 barrels. Assuming eighty per cent of this to be the traffic of the Standard Oil Company, and that but fifty cents per barrel rebate was paid by the railroad companies, the annual illegal receipts by the Standard Oil Company would have been $5,480,000 (not including the receipts of the American Transfer Company), from such traffic as was not embraced within the eighty per cent of the Standard Oil Company.

Encouraged by signal success of its policy in the oil trade, the Standard Oil Company has been on the alert for employment of like methods in other departments of business. Wherever monopoly, by whatever means secured or maintained, promised profits, that power has been ready for action. Its operations in connection with natural gas at Toledo, Ohio, are conspicuous in this connection. Not long after the development of natural gas

in Northwestern Ohio, the matter of a supply at that point was discussed, and ere long a corporation was organized for the purpose. Before definite steps were taken, the Standard Oil Company's representatives appeared, proposing to take the matter in hand. A second corporation (the Northwestern Ohio Natural Gas Company) was organized, the local company being abandoned, in consideration of some $40,000 of the stock of the Standard's company being issued to the managers of the surrendered corporation. The coast being clear, application was made to the city council for requisite franchise for the Standard and use of the public streets for its gas pipes. In view of the practical monopoly in gas expected to be established, it was suggested that something should be paid the city for use of its streets. To this, the Standard's representatives before the city council objected, on the ground that no monopoly or special advantage was sought or desired; that any party would be free to engage in the business, they specially stating that should the city see fit to furnish its own gas, there would be nothing to prevent it. "We are ready and willing," said the Standard's representatives to the city council, "at any time to enter into competition with the city or another company." They further said to the council, "You can go before the Legislature and obtain the right to issue bonds for furnishing yourselves with gas." Upon such distinct understanding, grant was made of franchise and free use of the streets. Thus most generously provided, the Standard went forward. Meantime, the citizens of Toledo generally became satisfied that the Standard's policy would not be such as to secure to the city due benefit from the new fuel; and, acting on the suggestion of that company to the city council, steps were taken looking to a municipal supply of natural gas. To this end, the petition of 6,000 citizens was presented to the State Legislature, asking for requisite authority. No sooner was this done, however, than the Standard Oil Company began vigorous opposition, with such effect that the movement then failed. One year later, largely the result of the Standard's manifest policy of extortion, a second like appeal was made, backed by a popular sentiment not to be ignored;

when authority was granted for a supply of natural gas, to be obtained through issue of city bonds, upon approval of sixty per cent of the voters of the city, which was given in April, 1889. The management of the enterprise was placed in the hands of trustees appointed by the governor of the state, who at once commenced operations by preparing bonds for raising requisite means, as provided by the law. Up to this point, progress had been assuring of early success, gas territory in abundance being found and plans provided. But now the trustees were confronted with an obstacle of most serious nature. The opposition of the Standard Oil Company, so active and bitter against the grant of authority, and no less so for the defeat of the popular vote, assumed a degree of violence wholly unexpected. A local newspaper, theretofore actively supporting the city pipeline, was purchased and placed in the hands of a man already managing two Standard organs in Pennsylvania, who employed it in most shameful misrepresentation and abuse, as shown in the fact that such imported manager and an assistant were indicted and convicted for criminal libel of the city gas trustees. Proceedings were early instituted at the instance of the Standard in the United States Court for prohibiting the issue of city bonds, as illegal. Coincident with all this, anonymous circulars not only assailing the validity of the gas bonds, but falsely attacking the financial standing of Toledo, and bearing significant date of "New York, September 30, 1889," and the heading, *Caveat Emptor* (Buyer Beware), were secretly distributed among banks and investors, both east and west. Such agencies, together with judicial proceedings, in both state and federal courts, operated, as intended, seriously to embarrass and delay the city, but not to defeat the enterprise. Every appeal made to the courts resulted in decision for the city, save the Standard's main case, carried to the Supreme Court of the United States and unconditionally abandoned on eve of final hearing, after two years of expensive prosecution. The chief object of all this, as of other forms of hostility, consisted in the delay—some eighteen months in time—in the competition in gas from the city pipeline, which the Standard so

ostentatiously invited when seeking free franchise. With the city, the loss from such delay was serious, and twofold—in non-use of its gas, and in attendant reduction of supply in its gas field. As its first attempt at subjugation of a municipality, the case with the Standard Oil Company had special concern. Almost uniform success with individuals, classes, and railways, had emboldened its managers to extend their field of operation, and it so happened that Toledo was chosen as its first victim in that connection. The result was anything but satisfactory with them, harmful as it certainly was to the people of that city.

The Standard's business policy was further shown in the case of Ohio oil. While providing tanks and pipelines for its use, that article was pronounced totally unfit for refining and good for fuel only, and on that ground but fifteen cents per barrel was allowed for it, until others had shown its real value and provided means for its use, when the Standard raised its price to thirty-seven and one-half cents, which has since been advanced.

The most serious check yet met by the Standard Oil Company consists in the recent decision of the Supreme Court of Ohio, in the suit brought by the state attorney general for revoking its charter on the ground that it had forfeited the same by becoming merged into the Standard Oil Trust of New York. The bill recited that President Rockefeller, of the Standand Oil Company, received $30,000 annual salary, and nine trustees $225,000 ($25,000 each), their business being transacted wholly in New York, without record of same as required by the laws of Ohio, which also require that a majority of the directors of any corporation existing under the laws of Ohio shall be residents of the state. The result of this suit compelled the Standard company to choose between the abandonment of the trust (including fifteen corporations), and its own dissolution, and it chose the former. The public good to come from this case must be material, both in its immediate effects and its resultant benefits in checking the tendency to overpowering combination of capital.

CLARK WAGGONER.

EDUCATION AND THE DISTRIBUTION OF WEALTH.

BY HARRY C. AGER.

WITHOUT endorsing any prominent tendency in the public mind, one may attempt to direct it toward reforms which both he and the public endorse. At the present time a large part of the most active philanthropists show strong inclination toward socialism; and while these views are contrary to those of the best economists, and perhaps of the public generally, still the enthusiasm of these men is likely to carry popular opinion with them for a time. Therefore, without either encouraging or endorsing this movement, we may consistently claim that now is an opportune time for suggesting certain reforms which, though in a sense socialistic in their nature, are not opposed either to political economy or to any but the most extreme *laissez faire* views.

One of these most important socialistic movements is the extension of free education. The people of the United States have always favored appropriations to this purpose; and any extension of education that seems likely to benefit the masses is almost certain to find favor with our public men. But few seem to be aware how much the extension of education can do in the direction of solving the problem of a more equitable distribution of wealth.

There is a popular fallacy that competition in itself tends to bring wages down to a minimum. This may be the effect of competition when the laborers are the only competing parties. But unrestricted competition means competition among capitalists as well as among laborers. Now the slightest increase in profits tends to increase capital; this again tends to reduce profits. And while laborers die and make room for others, the capital in the country remains, and is continually augmented by

the savings of thrifty citizens. In this way competition constantly tends to reduce profits to a minimum. But when profits are at a minimum, wages must be at a maximum. For however low money wages may fall, prices must fall with them, since the manager's share is always small, and, broadly speaking, all prices are made up of wages and profits. Of course, in special industries low prices may be worse for the laborer than high prices. When the owners of a cotton mill are obliged to cut down wages because prices are low, the workmen in that mill evidently suffer. But their disadvantage is an advantage to others; and if there is a general fall of prices in other industries they are as well off as before. In general, the produce of the country must be divided between the laboring class and the capitalist class, which latter includes landlords, managers, and the like; and the less the capitalist class obtains the more the laborer will have. Other things being equal, then, competition tends to raise wages to a maximum.

But laborers in the economic sense of the term include all professional men, all artists, all clerks, and many other persons not usually classed as laborers, and the problem of the unequal distribution of wealth is, in the economic sense, How shall wealth be distributed among the different classes of laborers? Moreover, the profits of one portion of the capitalist class, namely, the managers of enterprises, *entrepreneurs*, as economists call them, depend indirectly upon the compensation of professional labor. Therefore, whatever tends to an equal distribution of wealth among laborers, including professional men, tends, at the same time, to equalize the compensation of laborers with the compensation of that portion of the capitalist class with whom they most come in contact. This is no contradiction of what was previously said, to the effect that other things being equal, competition tends to reduce profits to a minimum, since whatever tends toward a more equal distribution of wealth changes conditions.

What, then, can be done to equalize the distribution of wealth among all classes? That education has this effect every one admits; but few seem to realize how much it may accomplish in

this direction. In considering this subject, we must remember that whatever tends to lower prices without lowering the money value of wages, for all practical purposes, raises wages. If the cost of building houses is reduced, the cost of the house to the laborer is correspondingly reduced; therefore if his money wages remain unchanged, he has just so much more to spend for other things, and his comfort is increased just as much as if so many dollars had been added to his yearly income. In other words, lower prices are equivalent to an increase of wages.

But what is it that causes the difference in wages? Why should an unskilled laborer receive only $500 per year, while a carpenter receives $900, and a good lawyer $20,000 per year? Primarily, it is a question of supply and demand. There are comparatively few men who are good lawyers, consequently there are many persons competing for their services: and only those who pay the largest fees can secure a portion of such men's time. Twenty thousand dollars a year represent what such a lawyer can get from clients who are willing to pay the most for his time. The competition among those who desire the services of carpenters is not so great. Although there are more persons who wish to employ carpenters than there are who wish to employ expensive lawyers, still the number of carpenters is so much greater than the number of good lawyers that a balance between supply and demand is struck at about $900 per annum. In the case of unskilled laborers the supply is still larger in proportion to the demand, hence their wages are just so much lower.

How, then, shall we increase the supply of skilled laborers and decrease the supply of unskilled? Evidently by education, in the broadest sense of the term. In the good old times when there was no free education of the masses, the large majority of mankind were unskilled laborers. It was only the more fortunate or wealthy who could become skilled laborers, and very few could enter the professions. But under our present system of educating children until they are fourteen, we give every child the choice of several employments. But our system of education is still very incomplete. If by means of

night schools and other institutions, opportunity were furnished to every one to extend his education, and a large majority of mankind could be induced to avail themselves of these opportunities, and if these advanced schools should teach the largest possible variety of subjects, including all kinds of technical and professional training, what would be the result? Every child could select the calling he might think it wisest to fit himself for, and would enter upon life fully prepared for his occupation. If the inducements were sufficient, he could devote himself to unskilled labor, but before the completion of his education, every trade and profession would be open to him. The result of this would be that except in cases of unusual talent, wages would be pretty much the same in all occupations. They would be higher in disagreeable than in agreeable occupations. The wages of unskilled laborers would be higher than those of skilled workmen, since every one fitted for skilled labor would prefer it to unskilled labor. Otherwise wages would be equal substantially in all employments.

It might be claimed that the small number who did not avail themselves of the opportunities offered by the community, would necessarily become unskilled laborers, and that this would reduce the wages of unskilled labor. But this would be true only if the uneducated class should be numerous enough to supply the entire demand for unskilled labor. Otherwise the wages of unskilled labor would rise until skilled workmen would be willing to take up unskilled employment, for until wages reached that point, the supply of unskilled labor would not meet the demand.

It might also be claimed that the trouble and expense of learning a trade or profession would deter many from undertaking it unless the remuneration were larger than that f unskilled labor. But under the supposed co th pense would be nothing, and the trouble red We can even suppose that after the syst generation, the large majority of pers course, keep th hildren at school or twenty-one.

There would still, however, be differences of income—due to differences in talent or skill. How far this difference could be overcome, it would be hard to say. But the average remuneration in employments where special talent could find scope would be low, because many who would try for the high prizes would not have the talent to obtain them, and because men would be willing to take low remuneration at first, in the hope of obtaining the higher income later on.

But how would all this affect the unskilled laborer? Would it improve his condition? To determine this we must inquire into the effect on prices, or rather on the cost of production. At present, articles, in the production of which skilled labor is employed, are relatively expensive, while articles produced by unskilled labor are relatively cheap; but under the proposed system, articles produced by unskilled labor would be slightly dearer than those produced by skilled workmen. How would this system help the unskilled laborer? It would only slightly raise his money wages, for at present the income of the unskilled laborer is only about twenty per cent below the average income of our whole people. But the price of many of the articles he is obliged to buy would be lowered. On the other hand, the income of those who now receive more than the average remuneration would be correspondingly reduced. Thus, wealth would be very equally distributed.

Thus far it has been assumed that education would not increase the actual amount of wealth produced. But it is highly probable that it would be increased very materially by the increased efficiency of labor. Even in the [illegible] occupations there is a great difference in the productive ability of laborers. For instance, the ordinary wages of a mill laborer in a paper mill are $1.25 per day. But sometimes a man can do the work of three or four men and earn five dollars per day. If through proper training of eye and hand [illegible] could become as skilled as such an expert, [illegible] would rise or the price of paper would fall. [illegible] skilled laborer would [illegible] of [illegible] and, the price of everything would [illegible]

and the purchasing power of wages would be largely augmented.

There are similar differences in the skill of laborers in the higher occupations. The wages of a machine tender who runs a small paper-machine are only a dollar and a half a day, but the wages of a tender of a large machine range from three to five dollars per day, according to the ability to turn out paper, a good tender being able to run the machine faster and to waste less of the product. Here again the increase of skill by education and technical training would greatly increase the amount of wealth produced. In many occupations the room for improvement may be much less; but if the product of labor could be increased even 50 per cent by a more thorough training, it would be a great gain.

But what would be the effect of education on prices and wages if it increased the power of men to produce one commodity, paper, for instance, threefold, and others, shoes, for example, only 50 per cent? The effect would simply be that men would demand as high wages in the manufacture of shoes as in the manufacture of paper, and consequently wages would rise in one industry and fall in the other, until they were equalized, which would raise the price of shoes and lower that of paper.

But it may be said all this is Utopian; and what has been presented comes under the head of the possible rather than the probable. It would not be possible, it is true, to put any such scheme in operation at once, and it would take time for it to produce its legitimate fruits, even without the hindrance which custom and prejudice would throw in its way. But our present free education in some branches, and the small expense of education in many other branches, are already producing these results in some directions. Thus the wages of unskilled labor in New York City are approximately ten dollars per week; and this equals the wages in many skilled occupations. Ordinary musicians in many of our best orchestras receive only ten dollars per week, and there are many clerks whose salary is less. In many banks the wages of a clerk for the first two years are only five dollars per week, just half what an unskilled laborer receives. What we propose is merely an extension of a system that has



already produced these results. Moreover, we do not claim that free education would produce practically all that the theory indicates. What we do claim is that civilization has forces at its command that tend, under free competition, to equalize the distribution of wealth and to counteract the alleged opposite tendency to make the rich richer, and the poor poorer. By the application of these forces it is theoretically possible under free competition, to produce the effect for which the socialists are striving, namely, equal incomes to all.

HARRY C. AGER.

PRISON INDUSTRIES AND PRISON DISCIPLINE.

BY A COMMITTEE OF THE ILLINOIS LEGISLATURE.*

AS TO the first of these points, the observations of the committee and many conversations had with wardens in various parts of the country have led to the formulation of the following conclusions:

(1) Almost any industry which can be successfully and profitably carried on by private parties can be conducted with equal success in a prison, provided that the authorities in charge are possessed of adequate business experience and capacity. All that is required is sufficient capital, united to skill and integrity on the part of the management. There is a certain difficulty in the disposal of the products of prison labor, owing to the prejudice felt against the competition of convict labor with what is called free labor on the outside. But this is largely offset by the fact that the prisoners work without wages, and that there is no possibility of their striking on account of dissatisfaction with the rules adopted for their government.

(2) The selection of the industries to be followed must be left to the judgment of the prison authorities, unfettered by any instructions from the Legislature, which is too large a body, and not sufficiently familiar with the conditions and circumstances governing such selection, to be able wisely to make such selection. The duty of the Legislature in the premises is performed, whenever it has made a sufficient appropriation for the purchase of machinery, raw material to be manufactured, and a working capital.

(3) Under the contract system, the necessity for an appropriation for this purpose is avoided, inasmuch as the necessary funds are provided by private enterprise, which enters, so to speak,

* From a report submitted to the Legislature in 1891.

into partnership with the state, in the conduct of the business of the prison, taking an agreed share both in the financial burden and in the pecuniary profits of the undertaking, whatever it may be. But under the amendment adopted to the Constitution of the state of Illinois, in 1886, prohibiting contract labor in any penal or reformatory institution in this state, it is needless to discuss the merits or demerits of the contract system. The General Assembly must recognize the existing situation, and it can no longer depend upon the co-operation of contractors, but must provide whatever funds are necessary, in order to conduct the labor of convicts in the penitentiaries and in the State Reform School upon state account.

(4) The notion that the industries of a prison cannot be as successfully and profitably managed under the state account system as under the contract system is a delusion. The question is one simply of the capacity and integrity of the authorities. It is well known that prison industries are often very profitable to the contractors, who hire convict labor, and, as a rule, pay for the same an amount sufficient to defray the cost of feeding, clothing, and guarding the men employed by them. The amount of this profit, whatever it may be, constitutes a margin of which the state can avail itself in order to protect itself against the possibility of loss, growing out of a change of system. There is no inherent reason why this profit should not inure to the state, unless it be that the state is unwilling to pay the large salaries for first-class business talent which are paid by private corporations. The state can, if it will, employ the same men to do the same work, who will do it just as satisfactorily for one employer as for the other. Mr. A. A. Brush, warden of the New York State Prison, at Sing Sing, who was at one time an ardent believer in the contract system, and supposed that any other would involve financial ruin to the institution under his charge, after a short experience of complete idleness in the prison, under a very foolish law temporarily in force in the state of New York, was forced to re-organize the industries at Sing Sing on public account. It is his testimony, that practical familiarity with the actual operation of both systems has convinced him that the

public account system, honestly and wisely administered, is more profitable to the state than the contract system, and that the control and discipline of the convicts are more easy and more thorough, where they are at all times, in the shops as well as elsewhere, under the complete control of officers appointed by the warden, without suggestion or interference on the part of contractors, whose only interest in the prisoners is naturally to make as much money out of their labor as possible.

(5) The competition of convict with free labor is to some extent injurious to the latter. But the amount of injury done is almost infinitesimally small, in view of the fact that the prison labor of the country bears such an insignificant proportion to the total amount, constituting, as it does, only a fraction of one per cent. It is absurd to suppose that this slight interference can have any serious effect either upon the amount of work available for honest labor or upon the price of goods manufactured in prisons. Furthermore, the loss resulting to honest labor from such competition is less in the aggregate than would be the cost of maintaining the prisoners in idleness, which would have to be borne from the public treasury, at the expense of the tax-payers, and the taxes collected for this purpose would, in any event, be an ultimate charge upon labor. Besides, experience has demonstrated (and the experience of the state of New York is in this regard a frightful example) that idleness in prison is a fruitful source of demoralization, degradation, insanity, disease, and death. It is inconceivable that the people of Illinois should wish the convicts in their penitentiaries and in the State Reform School to be idle while undergoing sentences for crime. These men and boys if not in prison would be, or ought to be, at work earning an honest living, and in that event they would come into competition with other labor, just as they do in confinement. It is only right that they should defray the whole or a portion of the cost of their maintenance while in prison, and the labor furnished them must be useful and profitable labor, in order to their highest good and that of the community at large. No one in the United States advocates labor merely for the sake of exercise or punishment; and it would be a melancholy spectacle to see prisoners locked

day and night in their cells, and taken out only for exercise in the form of a dreary march around the prison yard. There is another consideration to which attention should be paid in this connection, namely, that the great mass of the criminal population is unable to earn a living by the pursuance of any established trade, in consequence of ignorance, having never been trained nor accustomed to mechanical pursuits. It is of the highest importance, in order that a prisoner, when discharged, should be in a position to support himself by his own exertions, that he should have a trade at his command, whether he knew one when committed or not, and this trade cannot be taught him, if the labor in prison is of an unprofitable or perfunctory sort. As to the use of machinery in prisons, the form of pretty much all labor, since the invention and common use of machinery, has changed, so that there is little room or scope for purely manual handicrafts, and if a prisoner is not taught to labor in connection with machinery, his opportunities for employment after his release are reduced to a minimum. It is also true that a discharged convict can usually find employment more readily in a large manufacturing establishment than elsewhere, owing to the fact that there he is under constant observation and his opportunities for theft are comparatively slight.

(6) It is possible that the injury resulting from the competition of convict and free labor may be reduced to a minimum by legislative restrictions, either upon the character of the labor to be performed or upon the number of convicts to be employed in any one productive industry. All things considered, it is better that goods should be manufactured for sale outside of the limits of the state, if possible, and that the industries of a prison should be as much as possible diversified in their character. But it must be remembered that all such restrictions hinder the freedom of choice of the authorities in the selection of a profitable industry, and that they may result in financial disaster to the state. Many of the laws passed on this subject elsewhere have been so crude and inflexible as to prove seriously detrimental to the public interest.

(7) The piece-price plan, under which the state sells not the

prisoner's time, but his labor simply, charging therefor not by the day or the hour but by the quantity and quality of the manufactured product, is essentially a compromise between the contract and the public account systems. It partakes to some extent of the nature of both. It avoids certain objections to the contract system, namely, the introduction into the prison of contractors' men, in the form of shop overseers and instructors, salesmen, and accountants; the supposed tendency of the contractors and their agents to overwork the prisoners for pecuniary profit; and their right to demand that the men assigned to them shall be in the shops at times when, in the judgment of the prison authorities, they should for the purposes of a reformatory discipline be otherwise employed. But, under this system, it is certainly far more difficult for the prison authorities to enter into any profitable agreement with the parties for whom work is done in the prison. They cannot know, as the contractor knows, the precise value of each separate operation in the process of manufacture, and the contractor can very readily so adjust the prices to be paid, as to make a larger profit out of the labor paid for than he would be able to do if the prices depended upon the number of hours during which the prisoner is at work. The consequence is that, in nearly all the agreements made upon the piece-price plan, a clause is inserted to the effect that if the earnings of the prisoners under the scale of prices adopted do not amount to a fixed sum per day, then and in that case the contractor shall pay a sum equivalent to a certain price per day for the labor of the men employed.

(8) Under any system other than the contract system, the state must provide the means for carrying on the industries to be pursued. If this is not the case under the piece-price plan, that is to say, if the party of the second part furnishes the material and the machinery at his own expense, this is because the piece-price plan partakes to so large an extent of the peculiar character of the contract system. Under the public account system, rigidly construed, all expenses must be borne by the prison itself.

(9) Our general conclusion and recommendation, therefore, is

as follows: That the General Assembly waste no time in the discussion of the question of the particular industry or industries to be adopted at either of the state penitentiaries or the State Reform School, but leave this question to the judgment and discretion of the authorities immediately in charge, holding them responsible for a wise decision; and that an appropriation be made of a sufficient amount to enable them to employ the prisoners in their hands at such industries as they may think to afford a sufficient hope and promise of profitable pecuniary results.

A REFORMATORY DISCIPLINE IN PRISON.

With regard to the other point to which our attention has been particularly directed—the possibility of introducing a reformatory discipline into the penitentiaries of Illinois—we have the following suggestions to offer:

The one great object of the criminal law and its enforcement is the protection of society. The perils which threaten society, in consequence of the depredations of criminals, are of three sorts. Their conduct may be such as to threaten the existence and impede the operations of the government; or they may be guilty of assaults upon the lives or persons of individuals; or they may attack the rights and interests of property. Offenses which fall under one or another of these three heads are the only ones which properly deserve to be called crimes; all other offenses are merely violations of social order, the punishment for which is by fine or by incarceration for a short term in some minor prison. With the moral aspects of crime the government is not supposed to concern itself. It does not seek to inflict vengeance upon the criminal, no matter what may be the degree of his ill-desert, because the right to execute vengeance has been reserved to the Almighty and not delegated to any human government; because there is no actual measure of guilt by which to gauge the amount of suffering which ought in justice to be inflicted upon the individual; and because the infliction of vengeance for the sake of satisfying the public sense of retributive justice subserves no useful purpose which is not equally well answered by purely protective measures. It is safe to assume

that the operation of natural law will, in the providence of God, bring to every offender, sooner or later, the precise amount of retribution which his conduct merits, and that without human interference, except in so far as men are unconsciously moved by their natural impulses.

Now the protection of society can be secured only in one of two ways. The government must deprive the enemies of social peace and security either of the power or of the disposition to violate the criminal code.

In order to deprive them of the power to inflict injury upon the public or upon individuals, they must be deprived either of their life or of their liberty. At a period not very remote in the history of the civilized world, the main reliance of rulers was upon capital punishment, which was inflicted on very slight provocation, and often with insufficient proof, for an indefinite list of offenses, of which some would now be thought scarcely to merit a reprimand. But with the growth of popular institutions, based upon a recognition of the rights and liberties of the people, capital punishment has fallen largely into practical disuse and disfavor, and the prison has come to be the one recognized agency for the repression of crime.

Undoubtedly incarceration for a longer or shorter period has the effect of protecting society against the men who are confined within prison walls, so long as they remain there. But the question suggests itself: At what moment is the danger to society, which rendered the incarceration of the criminal a social necessity, no longer to be feared? At what moment can he be safely released? In a rough way, the criminal code undertakes to answer this question by imposing maximum and minimum penalties for each offense known to the common law or to the statutes. It says, in effect: It will not be safe to release a burglar until he shall have served so long; but at the expiration of another period mentioned in the statute it will be safe. It says to the courts and prison authorities: You must hold this man for such a time, but you will not be permitted to hold him beyond a certain date. The opinion thus crystallized in the form of a legal enactment is obviously an *a priori* and

an average judgment. The law proceeds upon the assumption that the courts which hear the evidence in each case will be able rightly to apportion terms of imprisonment to individuals, and it entrusts to judges and to juries the right and power to say to each person convicted of crime: The security of society demands that you shall be incarcerated for a definite term of years, or months, or days. But how do the judge and jury know when it will be safe to release the condemned criminal? He may lose the disposition to commit crime long before the expiration of the sentence imposed upon him; or he may retain both the disposition and the power to commit the same or a worse offense after its expiration.

It is commonly supposed that imprisonment serves at least a double purpose. It is believed to have a secondary effect in deterring others from the commission of similar crimes. It has this effect in some measure and degree, but not to the extent that most people imagine. The motives which induce men to commit crime are present and immediate; they are usually powerful, at least they are of sufficient force to decide their course. The fear of punishment, on the other hand, is a remote and doubtful motive, which exercises comparatively little influence upon human conduct. The tempted man has not the consequences of his action distinctly in view, while under the influence of temptation. His imagination is perhaps feeble, his mind sluggish and of narrow grasp, and he is fully taken up with the thought of the advantages which are to accrue to himself from the commission of crime. He sees the latter through the lens of self-interest, and they are enormously magnified to his vision, while the consequences present themselves to his mind's eye, as it were, through an inverted telescope, which makes them appear much more insignificant in size and distant than they really are. He fancies that he will escape detection, or that, if detected, he will be able, by some lucky accident or by good management on the part of himself or his attorneys, to escape conviction. The deterrent effect of legal punishment is, in the judgment of those most familiar with the criminal class, so slight, that it does not warrant the infliction of an injustice

upon any man for the sake of the advantage to society which it is hoped will accrue therefrom.

The indeterminate sentence, therefore, is recommended by reasons which have their basis in equity, in common sense, and in a correct perception of the operations of human nature. The theory of the indeterminate sentence is that, inasmuch as neither Legislatures nor courts can estimate guilt, nor mete out absolute justice in the form of retribution to individuals, neither can they determine in advance the period of incarceration, at the expiration of which the criminal impulse or the ability to inflict injury in the form of crime will have been eradicated, the imposition of definite sentences is logically as absurd as it would be to send lunatics for a definite period, determined in advance, to a hospital for the insane, there to be cured of cerebral disease. In the words of a distinguished lawyer of the city of New York, who has devoted much time and thought to the study of the prison question, "The convict is put in prison on the same principle that a yellow fever ship is kept in quarantine or a smallpox patient confined in a hospital." If a criminal continues to be a menace to society during the whole period of his natural life, he should, for reasons of social security (which are the true basis of criminal jurisprudence) be discharged only by death. If at any time he ceases to be inimical to the welfare of society, then the reason for his incarceration no longer exists, and his further detention is an act of social injustice. Under our present system, we constantly discharge from prison men who ought to be retained in it, and retain in prison men who ought to be discharged, not because they are innocent, but because prison discipline has wrought in them its perfect work.

Of the two methods of rendering a criminal harmless, which have been suggested—putting him where he is powerless to do evil, or eliminating from his mind the criminal disposition—the latter is by long odds the more effectual and satisfactory. There are many who suppose that the maxim, "Once a thief, always a thief," has no exception; that the criminal character is hereditary, or the result of constitutional predisposition; that it is so persistent as to be practically irremediable, and that all effort

expended in the attempt to reform criminals is thrown away. This may be and probably is true of some criminals, but not of all, and the line which separates the corrigible from the incorrigible has never been accurately determined. The population of our prisons is made up of various classes. First, there are the innocent, who are the victims of misapprehension, mistaken identity, or perjury, and the number of such is by no means inconsiderable. Then there are the impulsive wrongdoers, who have yielded to sudden and violent temptation, and have been led to commit some act not in harmony with their habitual character, who are not properly included in the criminal class. There are also men whose lives have been more or less stained with crime, and whose associations are bad, but who have no worse natural disposition than other men, but have been neglected or spoiled while children. Some of them have never had a fair chance to show what they could do, or would be, under favorable circumstances. Their early education and training, particularly in the direction of useful labor, have been neglected; or they have been thrown upon their own resources at a very early age, and have fallen into bad company; or they have been otherwise handicapped in the race of life. It must always be remembered that, even under the penitentiary system as it now exists, with punishment and not reformation for its primary aim, one half of those sentenced to the state prisons of the country have succeeded in living lives free from crime, after serving a single sentence; at least, so far as is known, no criminal charge has been brought or proved against them subsequent to their release. The incorrigible criminal, the Ishmaelite, whose hand is against every man and every man's hand against him, the man who deliberately and willfully defies all the restraints of human and divine law, the selfish egotist, who makes his own pleasure or advantage the sole criterion of right and wrong in blind and willful disregard of the rights of others, belongs to a different type of humanity. He is not like other men, any more than a lunatic is like other men. There is a twist in his moral nature, and often in his mental constitution as well, which, if not congenital, has been so intensified and

firmly set, by the practices and experiences of his life, that there is very little hope that any system of treatment will result in the conversion of such a moral monster into a reasonable and normally acting member of society. But it certainly is not right that the treatment to be accorded to all of these criminals or unfortunates should be identical in kind and in duration, nor that the moral judgment pronounced upon the hardened, habitual, incorrigible offender should be attributed to others who need no reformation, or whose reformation, under proper discipline and influence, might be reasonably looked for.

It would seem to be the dictate of common sense to classify the criminal population according to the intensity and persistency of their criminal character, either by placing the more or less evilly disposed in distinct and separate establishments, or else by separating them in the prison. But it is in vain to expect the courts before which accused persons are tried to make any accurate or thorough classification of them at the time of trial. Their real character, antecedents, and history are not fully brought out by the evidence, and the judge can at best form but a hasty, superficial estimate of their condition and needs. The sentence pronounced is nothing more than a judicial guess. It is not until the prisoner comes under the constant, daily observation of the warden and his assistants, and has had opportunity not only to tell his own story, in his own way, bit by bit (which is often confirmed or refuted by independent inquiry set on foot by the prison officers for their own satisfaction), but to show by his actions what are in fact his habitual and predominant states of mind, motives, wishes, and aims, that he can be fully comprehended and known. The judgment of the warden concerning him is generally more accurate and just than that of the tribunal which pronounced sentence against him.

In theory, the criminal law regards not the person of the offender, but the offense committed, and metes out punishment accordingly. In point of fact, nothing is more unequal than the amount of punishment inflicted upon different individuals by different courts, or by the same court on different days. The

indeterminate sentence is the only form of sentence which secures absolute equality under the law, in respect of the amount of imprisonment to which offenders of the same grade are liable. The minimum and maximum sentences for every one convicted are, under that system, precisely the same. But within these limits, the largest possible scope is left for the exercise, on the part of the prison authorities, of a judgment founded upon intimate personal knowledge of the prisoner, while expiating his crime. What the law and the court cannot know, and ought not to pretend to know, namely, the date at which the prisoner may be safely released, is often perfectly plain to them. Or, if not, the margin of possible error in their estimate of the probable consequences of his release is very small. At present the courts undertake to pronounce a twofold judgment: they say who should go to prison, and when they should come out. If these two functions could be separated, if the courts were entrusted merely with the duty of saying who should go to prison, and the duty of saying when the prisoner should be discharged were left to the authorities who have him under their care, the ends of justice as well as of humanity would be, we think, better subserved than they are now.

The first state to recognize the correctness of the principle here laid down was New York, which, in 1869, created the Reformatory at Elmira, which was visited by the committee, and there we gained a clearer insight into the correct methods of prison management and discipline than in any other institution which came under our observation. That prison receives but one class of convicts, namely, young men who are believed to have been convicted of felony for the first time. If they have been at any time previously convicted, that fact is not known to the court, at the time of their trial and sentence. These young men are sent to Elmira for no definite period, but may be retained for the longest period for which they might have been sentenced to a state prison for the particular offense of which they have been convicted. The managers of the institution have been empowered to establish rules and regulations, under which any prisoner can earn his release in the short space of twelve months.

As a school is divided into classes, so are the prisoners at Elmira divided into groups, known as the first, second, and third grades, each of which is distinguished from the others in various ways, and governed in some particulars under different regulations. At the prisoner's reception, he is placed in the second or intermediate grade, where he must remain for six months, in order to merit promotion. For misconduct, he may be degraded, and, in that case, he has to work his way up again, and, when he reaches the second grade, to begin anew where he began at his entrance into the institution. After remaining for six months in the second grade, he is advanced to the first grade, where he must remain for another six months, before he is eligible to parole. When paroled, he still remains, in the eye of the law, an inmate of the institution, and, if he violates any of the conditions of his parole, he can be arrested and remanded to prison. But, if he behaves himself well in all respects while conditionally released, and shows that he has acquired sufficient power of self-control to keep from dissipation, and especially from the clutches of the law, he then receives his absolute discharge. In order to know the actual merit or demerit of any individual prisoner, a strict account of his conduct, diligence in the work assigned him to do, and progress in study, is kept on what is termed the mark system. Just as a pupil in an ordinary school is marked for his recitations, so the prisoner's promotion or degradation depends upon his marks, except that the superintendent reserves to himself the right to encourage the man who would be benefited by an arbitrary remission of demerits. The managers are prohibited by law from considering any application for the parole of any prisoner by his friends on the outside. His release depends absolutely upon the progress made by him in acquiring or re-acquiring the lost power of self-control.

As will be seen, the essential features of this system are—first, the indeterminate sentence; second, marks; third, grades; and, fourth, conditional release under the statute and under the rules governing the prison.

The marks given at Elmira are as follows: The highest mark is three. The prisoner receives this mark for his conduct, in

case he is guilty of no violation of the prison rules for the space of an entire month. He receives an additional mark of three, if he faithfully performs his allotted stent of labor in a manner satisfactory to the overseers in charge of the prison industries. He receives a third mark of three, if he is attentive and diligent in the prosecution of his school studies, so as to satisfy his teachers that he has done the best of which he is capable, without reference to the actual amount of knowledge acquired by him. Three times three are nine; and, in the cant phrase of the prison itself, the inmates are all engaged in "earning their nines." Of course, the number of marks is arbitrary, and not essential to the system. The highest might be five, or it might be ten. At the Massachusetts Reformatory, we believe, it is five.

Nines are forfeited by misconduct, of which the prisoner receives notice in the form of a colored ticket laid upon his bed in his cell, where he finds it in the evening. The possible infractions of rules are classified and known as "neglect," "dereliction," or "offense." "Neglect" reports are on pink paper, "dereliction" reports on yellow paper, and "offense" reports on chocolate paper. Six of the first, three of the second, or one of the third, in any month, signifies the loss of a nine.

The labor performed by prisoners at Elmira is not conducted for profit, except to a very limited extent. Its primary aim is the development of character in the convict, and his preparation to enter again into the free life of the community, better qualified than before to earn an honest living. So far as possible, an estimate is formed, at the time of the prisoner's reception, of his capabilities; his personal inclinations are sounded, and inquiry is made as to the natural and probable possibilities of finding employment for him on the outside, after his discharge. The superintendent determines in his mind, at the outset of the prisoner's career, what it is best to attempt to make of him, and he is trained in that. As is well known, everything that facilitates the earning of a livelihood tends to diminish the amount of crime in the community, and everything that makes it difficult for men to support themselves by their own exertions has an influence to throw them into the ranks of crime. The prisoner's first neces-

sity is that he should be competent to maintain himself, as a safeguard against temptation. At Elmira, almost any trade can be learned, under qualified instructors. Trade schools have been organized within the institution, on a comprehensive plan, and work done for the sake of learning a trade counts just as much, in the way of earning the prisoner's release, as work done for profit in any of the shops.

The most marked peculiarity of the institution is the extent to which the educational feature is made prominent in it. The majority of criminals have either had little opportunity for education, or have availed themselves of their opportunities only to a limited extent. For the most part, books and learning have had but small attraction for them. Many of them, when at school, were either truants or dunces. There are, however, many highly educated and cultivated men in prison, whose crimes have been crimes of education and not of ignorance. But even they require intellectual stimulation, while undergoing sentence, in order to keep their mental faculties bright and in a healthful condition, and especially to divert their minds from depressing thoughts of self or from dwelling upon criminal experiences and projects. Every man, therefore, in the prison is required to follow some line of intellectual pursuit. Nearly all the inmates are required to attend a school (divided into three departments), for one hour and a half in the evening, five days in every week. These classes are instructed by competent persons from the outside, though some of the prisoners perform service as assistants in teaching the illiterates. All of them undergo a written examination once in each month. Those prisoners who are too far advanced to require class instruction are examined upon their reading. Every prisoner is required to read at least one book in the course of each month, which is selected for him from the prison library, and he must be able, at the end of the month, to give an intelligent account of its contents and of the impression which it has made upon his mind. In addition to the ordinary branches of a common school education, they have an opportunity to learn physical geography, history, and political economy. On every Sunday morning, a large class assembles in the chapel

to receive instruction in ethics. Some question of casuistry is propounded, which is debated by the prisoners themselves, under the presidence of a special teacher, who makes suggestions at his own discretion and corrects the perverted judgments which they express in free debate. Since many of them have never been taught in the course of their lives to consider the moral aspects of conduct, the mere directing of their attention to this subject is beneficial. The entire aim of the establishment, in all its branches, is to produce such an impression upon the mind and conscience of every inmate as will change his habits of thought and feeling, in spite of any opposition which he may make to the processes employed, so that he may leave the institution a different man, when compared with what he was when he entered it.

The loss of a nine in any one month involves degradation from the first to the second grade, or from the second to the third, as the case may be. A nine earned, in any one month, by any prisoner in the third grade, results in his promotion to the second grade. But for promotion from the second to the first grade, six nines must be earned, in as many consecutive months. Six nines similarly earned in the first grade render the winner eligible to parole.

It does not follow, however, that because a prisoner has been six months in the first grade, he will receive a conditional release. There are other conditions which must be met by him, as follows: In the first place, he must have gained the confidence of the superintendent, that is to say, his conduct and conversation in prison must have made the impression on the superintendent's mind that the prisoner has an honest purpose to live without violating the law, if discharged. But, beyond that, employment must have been found for him, when released. The first of these conditions obviates the objection urged by persons who do not understand the mark system, to the effect that the worst men are often the best prisoners, and that the parole system affords them an opportunity for avoiding merited punishment and returning more quickly to a life of crime. So far from this being true, such a man, not having won the confi-

dence of the superintendent, will not receive his conditional discharge under any circumstances, but will have to serve the maximum term for which he might have been sentenced to state prison. The second condition attached to the granting of a parole relieves the managers of the anxiety which they would otherwise feel, lest a discharged prisoner should return to a life of crime for want of remunerative employment on the outside. Under the old prison system, a society for the aid of discharged prisoners was almost a necessity; and, in a number of states, a state agent paid from the public treasury is employed, and money placed in his hands to facilitate the rehabilitation of discharged convicts, who give promise of doing well after their release. But, under the Elmira system, the prisoner's friends, if he has any, do the work which would otherwise devolve upon a prisoners' aid society, and do it far more effectively. When the time approaches, at which a prisoner is eligible to parole, he becomes intensely active in seeking, by correspondence with friends on the outside, a position in which he can be honorably and profitably employed, because he knows that without this a parole will not be granted him.

Paroled prisoners are required to report to the managers, by letter or in person, once in every month, for six months. Their employers must also report how they are doing, and whether they have reason to believe that they have violated any of the conditions of their parole. On evidence that these conditions have been violated, it is the duty of the managers to secure the prisoner's arrest, and to have him brought back to the reformatory, where he has to begin again the weary work of earning nines, as before, with the knowledge that he has by his conduct forfeited the superintendent's confidence, and that it will require more than before for him to regain it. The managers do, in fact, send for such prisoners, and bring them back even from other states, by means of a requisition made by the governor of the state of New York, unless the paroled prisoner offers, as he sometimes does, to return voluntarily.

It is evident that this system constitutes a complete whole, and that the parts of it cannot be dissevered, any more than the

piston in a steam engine would perform its office, if dissevered from the piston-rod, or from the steam-chest, or from the boiler. It is equally evident that it cannot be successfully administered except by a man who understands it and who believes in it. It must be carried out in the spirit in which it was conceived, or it will amount to nothing in practice.

The operation of it upon the prisoner's mind may be readily understood. All human action is influenced by one of two motives, hope or fear. Of these two, hope is more powerful than fear, more enduring, and more ennobling. The effect of fear is always to degrade the man who comes under its influence. Of all desires which can animate the human breast, the strongest is the longing for personal freedom, and it is peculiarly active in the mind of a prisoner, who learns to appreciate his liberty when he has lost it. By making the date of the prisoner's discharge dependent upon his own efforts to conform in all respects to the requirements of a reformatory discipline, he is made a partner with the prison management in the work of his own reformation. The key of his cell is placed in his hands, and he is instructed how to use it. Either his intellect must be extraordinarily dull, or he must be of an uncommonly depraved moral nature, if, with such a stimulus constantly in operation upon him, he does not do the very best that he can. But the criminal nature is proverbially weak and wavering. In this respect there is a marked similarity between criminality and insanity. The victim of either has to a great extent lost the power of self-control, which can only be restored by the application to him of a mild but firm discipline, in which encouragement has a larger place than intimidation. In watching the course of individual prisoners up and down among the grades, the instability of their wills and fitfulness of their impulses become very apparent, and their progress from a state of self-indulgence to habits of self-control can be easily traced. When a prisoner, who at first was incapable of maintaining himself either in the first or in the second grade for any length of time without falling, has acquired sufficient resolution and self-mastery to hold himself for six months upon the intermediate level, and then for

another six months upon a higher level, and finally for a third six months, when exposed to the temptations of a free life outside, the probabilities that that man will not return to a criminal career become very strong. It is also in his favor that no fictitious or unattainable standard of reformation is set before him, as the condition of his release. It is not required of him, for instance, that he shall conform in his ideas and sentiments to any dogmatic, theological formula of belief, or that he shall have passed through any type of mystical or emotional religious experience, or that he shall have submitted himself to any ritualistic requirements. The question of his private morals does not count against him, except in so far as his moral character may affect his conduct as a member of society. By reformation, in the legal sense, nothing more is meant than that a man shall obey the same requirements of law, in his social relations, which govern other men who are not in prison and are in no danger of arrest. This is all that the law has a right to demand of any man as a condition of personal freedom. The tests, therefore, which are applied by the prison authorities, are tests which have in view simply the determination of this one point in the prisoner's favor. In order to bring him to this point the discipline of a reformatory prison is so organized as to furnish to the prisoner the means of development in those precise particulars in which he is deficient, whatever they may be. If he is of a low physical type, with a weak nervous system and flabby, untrained muscles, physical training is supplied to him in the form of military drill, gymnastic exercises, and the regimen of an athlete, including special diet, baths of all sorts, and, if necessary, massage. If what he lacks is mental development, this is supplied by a prescribed course of reading and study. If the defect which makes him a criminal is in his moral nature, that is appealed to in the ethical class, and by sermons and addresses in the chapel of a non-sectarian character, or by the ministrations of a clergyman of his own type of religious faith and education, whether Protestant, Roman, or Hebrew. If it is the knowledge of a trade which he needs in order to fit him for self-support, the knowledge of a trade is given him while in

prison. If it is an opportunity to labor for wages on the outside, that is found for him before he is discharged. His individual character, circumstances, and condition are thoroughly considered, and he is treated accordingly. The question of his earnings is wholly subsidiary. It does not matter whether the prison pays its way or not, if it accomplishes the end for which it was created, which is the making for the state not of money but of men. The prison is wholly divorced from any connection with practical politics. The selection of the warden does not depend upon his political affiliations or services. The selection of a warden on this ground, and not on that of his fitness for the special duties which he is required to perform, would be fatal to the success of the entire scheme. The introduction into a reformatory prison of the contract system might also prove fatal to its success, and would be very likely to do so. It is of the utmost consequence that the warden of such an institution should be untrammeled in every direction, and that he should be free to adopt any measures which promise success in the task which he has undertaken. The intervention even of the governor by a free use of the pardoning power would destroy the influence upon the inmates of the institution of the stimulating effect of the system itself. This system relieves the governor in a large measure of the great pressure brought to bear upon him in order to secure the pardon of convicts in penitentiaries who have in fact no claim to pardon.

The belief that criminals cannot be reformed is strongest in the minds of those who have made no particular effort to secure their reformation. The hopelessness of those who have been discouraged by the small amount of success which has attended their efforts in this direction, is as different from that of those who have never made the attempt at all, as day is from night. The former merits our sympathy, but the latter has no claim upon our respect. Of those who have tried and failed, without any experience of the system just described, or any knowledge of its practical workings, few, if any, are entitled to express a positive opinion as to the possibilities of the system. Negative testimony in this respect has no more weight than the

evidence of witnesses who did not see the person commit the crime of which he was accused, in the face of the positive testimony of eye witnesses. The statistics kept at Elmira and repeatedly published show that a very large percentage of those who have passed through the institution are known not to have relapsed into crime. That some have done so, and are found in other penal institutions, is no more than was to be expected. Nor does this prove anything in opposition to the system. The experience of the state of New York has been such, that the judges of the criminal courts there are now empowered to pronounce an indefinite sentence against any convict, even when sentenced to one of the state prisons and not to the reformatory, and that irrespective of the fact that he is not a first offender but a habitual criminal. The reasons why the provisions of the statute in this regard are permissive and not mandatory are understood to be, that a reformatory discipline, under the mark and grade system, has not been established in the state prisons of New York, and that it would be unjust to impose an indefinite sentence upon a convict, without giving him an opportunity to escape the infliction upon him of the maximum sentence for his crime imposed by the code. Besides, without the parole, under indefinite sentences, uniformly given, the prisons would fill too rapidly, in consequence of the absence of the means for emptying them, which the parole affords.

This committee, when appointed, was instructed to report to the next General Assembly recommending such a law as shall secure the best methods for the establishment in Illinois of a reformatory; and for the general management of the state penitentiaries, whenever the present contract system of labor shall expire. We have hesitated to formulate a bill upon the subject. The Miller bill, as it is called, which failed to come to a vote in the Senate at the last session of the Legislature, embodies principles and methods of which we approve, though it is possible that it does not go far enough. The most complete act for the government of prisons which has yet been adopted in any state is the Fassett bill, passed by the New York Legislature in 1889, and we think that it might be possible to adapt that

measure by some slight alterations to the situation and wants of our own state. We recommend the establishment of a reformatory prison, either as a separate institution disconnected with either of those now in operation (which we should regard as the ideal plan); or if this is thought to be impracticable, then the conversion of one of the existing penitentiaries into a reformatory; or the addition of a department for adult prisoners to the reform school now in operation at Pontiac. Whichever of these plans may be adopted, however, we urge upon the attention of the General Assembly the necessity of providing by law for a proper limitation of age of inmates to be received, for the separation of first offenders from hardened criminals, for the indeterminate sentence, the mark system, grades, and the parole. The superintendent should be selected without reference to his political convictions or affiliations, and his tenure of office should be made independent of partisan political changes. A salary should be paid him which will enable the state to secure the services of the man best fitted, in the United States, for the organization and management of the trust committed to him. With these provisions embodied in any statute which may be enacted, no serious blunder can be made in the legislation which may be agreed upon by the General Assembly. But our observation of the practical working of the parole system in Ohio, where outside parties are permitted to make application for the conditional release of convicts, leads us to put on record here an earnest caution against permitting a usage so fraught with possible abuse, and so inimical to the fundamental principle on which the system rests, namely, that the prisoner must work his way out of prison by his own unaided efforts to acquire a character which will afford a guaranty against his probable relapse into crime.

BENJAMIN F. SHEETS,
EDWARD L. MCDONALD,
Committee on the part of the Senate.
W. G. COCHRAN,
T. E. MERRITT,
Committee on the part of the House.

SPRINGFIELD, ILLINOIS, February 10, 1891.

FREE TRADE AND PROTECTION, VIEWED FROM A MORAL STANDPOINT.

BY REV. ALBERT WALKLEY.

THE question of Free Trade *versus* Protection, like all great questions when we get at their true bases, is a moral one. It has its different sides; but the core of it is whether it is morally right or wrong. Is protection right? Is it in harmony with what we believe religion to be?

One of the fundamental truths of religion is that our world is one world. To put it in the language of commerce, No part is sufficient in itself, each is dependent on the other. The whole is greater than any of its parts, is a concise form of this truth. The deficiencies of one part are made up by the abundance of another. In opposition to this, the protective theory teaches that this world is to be divided into separate and clashing sections, each sufficient in itself, each to be for itself all the world. Any deficiency of the part is to be made up by statutes of exclusion. A Congress is to make the part equal to the whole.

The other side of this truth is that our race is one race. Religion calls it "the brotherhood of man." "Of one blood are all nations of men," is the word of the Book. This truth in the commercial world builds railroads and ships. In time of famine the spirit of philanthropy sends help to the suffering. The salvation of the one depends on the whole, is the living truth of religion. All this is directly contradicted by the doctrine of protectionists. They teach that the interests of men of different nations are opposed irreconcilably to each other, that if one gains all, others suffer. The proper and blessed state for nations to live in, is that each everlastingly attempt to lower the productive powers of all others. By this reduction of the pro-

ducing powers of others we enhance our own ; the commercial damnation of others is our salvation. The God of the protectionist must be very short-sighted, since the only way one part of His children can live in comfort is by shutting themselves up from contact with their fellows. The few, in order to have enough, must assist and delight in the starvation of the many. The closing of European factories is an argument in favor of our protection laws. Our duty, if consistent, is to aid in the pauperization of the millions in foreign lands.

"The truth shall make you free," is the word of religion. And it has been through the freedom of truth that we have arrived at anything like civilization. Political, commercial, intellectual, and moral life owe their largest debt to freedom. Our boast has been our liberty. Yet we are taught by the protectionists to shun the free intercourse of man with man as a dangerous thing. Men who dare plead for the free trade of the world, part with part, country with country, are branded as traitors. Now if there is any truth in religion, in its doctrine of freedom, there is none in the doctrine of protection.

There is a still greater word in religion than in freedom ; it is sacrifice. This word has little place in politics, but it is the word with the largest place in religion. On the very idea of sacrifice religion is built. The whole purpose of protection is to maintain a false notion of self-preservation. It splits the command in two, and takes only the part "as thyself," and regales as sentimentalism, "Love thy neighbor." Every generous and noble instinct is set aside, and the appeal is made to the baser and more selfish elements of our nature ; to the very side of our nature which religion seeks to crush out. If there is a small and mean motive in a man this theory drags it to the foreground and appeals to it for sanction. We might as well try to make light and darkness one and the same thing, as to make protection appear right. What fellowship hath religion with protection? None. If this needed any further word, we have only to note the chief products of our protection policy, namely, those over-gorged trusts, and our monopolies, which are the quintessence of selfishness.

Religion is to inspire with courage, to make one dare. It does not send man forth in fear lest he be unable to get from teeming Nature enough to live on. There is no cringing in religion; it is brave and confident. One touched by this spirit does not wish to be held up to the world as a spectacle who fears to enter life's struggle with his less fortunate fellows. Better fed, better housed, stronger in muscle and mind, the American fears the ill-fed men of Europe. Not one smallest ray of courage or hope lights up a single argument in favor of protection. It is the selfish coward's cry. The documents put forth by protectionists are arid sand deserts, without a green leaf of hope, or a spring of water in them.

Religion teaches us to love our neighbors; protection raises the cry that the very fathers, mothers, and brothers left behind in Europe are pauper enemies to the sons they have sent to this country. It also becomes these sons to injure those left behind, and if possible close the factories on which they depend, and so add them to the pauper class. Vote them everlasting paupers, is the aim of protection. It cannot be done, but it is the legitimate result of protection doctrines. We are blind to the law of reaction by which we in our unholy aims become ourselves poorer. We make the producing power of the world less, and so make less for distribution.

We cannot escape justice, however we try. Our religion emphasizes this. We must reap that which we sow. At no time has it ever been asked, Is protection just? always, Is it expedient? The very animus of the thing is to burden the millions for the few, to give of the decreasing little of the many to the increasing abundance of the few. Our reward comes, not in that many become unjustly poor, but that they are turned into beasts of burden, creatures of muscle. We lose sight of the fact that man is spirit, and that he is here for other work than the feeding of the body for its own sake. We put a blessing on work as work, and forget that work is the means to an end—the unfolding and upbuilding of the highest spiritual faculties of man. We have dropped our diamond in the mud.

There is no escaping it; turn it which way we will, religion



and so-called protection, face to face, are in irreconcilable opposition. There is not an argument in favor of protection but contradicts some high sentiment in religion or brave impulse in man. One appeals to the highest, the other to the lowest; one is charitable and liberal, the other narrow and selfish; one would have us live under the noble and ever-inspiring laws of God, the other under the avaricious theories of men.

Choose ye this day whom ye will serve. If the Lord be God, follow Him; but if Baal, then follow him.

ALBERT WALKLEY.

SOME HINTS AS TO THE PREVENTION OF IDIOCY.

BY DR. HENRY SMITH WILLIAMS.*

IDIOCY means mental undevelopment. Undeveloped mind implies undeveloped brain; and undeveloped brain implies the undevelopment of every other tissue of the body to the remotest fiber. Idiots are therefore piteously blighted specimens of humanity, physically as well as mentally. As a rule they are not only small-headed and hence small-brained, but are dwarfed in stature, and often their members are disproportionate, misshapen, or deformed. But not all individuals conform to this average status. A few are of large stature, some have bodies defective in fiber rather than in form, some have heads not outwardly different from the heads of normal people, and some even present enormous crania, dwarfing those of the Websters and Cuviers. A partial explanation of this anomaly in the case of the heads is the fact that quality of brain counts for more than mere quantity. The very smallest brain may be a more efficient organ of thought than the very largest one, because its cells may be better developed. A very large brain may be made up mostly of connective tissue, the padding of the cells, and hence be about as useful a thinking apparatus as so much putty.

Again, things are not always what they seem, even in the mere matter of size. Obviously a small head cannot contain other than a small brain. But the converse does not hold. The contents of a large cranium may be mostly water; in fact, such is sure to be the case with the very largest. Those great bulging crania are hydrocephalic. The brain within is a mere distended sac. Its walls thinned and distorted by pressure, it can by no possibility act efficiently. Relatively speaking, some of these

* Formerly medical superintendent of the Randall's Island Hospitals, including the idiot asylum, with four hundred inmates.

hydrocephalic idiots develop a fair degree of intelligence, but as a rule they belong to the lowest grades of idiocy.

Regarding the medium-sized brains of another class of idiots, it need only be said that they are intrinsically defective, their cells having failed to develop, even though their general contour is not affected. Such intrinsic defect is more important than a deviation in size, and more generally operative, the qualitative deviation from the normal being much more radical than the quantitative in the case of all idiots except the comparatively rare examples of extreme micro- or macro-cephaly. Indeed, the average difference in size between normal brains and the brains of idiots is not so pronounced as is commonly supposed. There is a difference in favor of the normal brain, but it is a relatively slight difference. Contrary to the usual supposition, the extremely small heads are less common than the extremely large ones among idiots, though, as already noted, the average is what it should be.

Turning from the skull to the face, we find a tangible illustration of the extent to which the records of the mind are imprinted on the features. As a rule the faces of idiots are vacant and inane; often they are repulsively "animal." Many are "negroid" with thick lips and flattened noses. Others have narrow projecting upper jaws and receding chins. Others again are not uncomely in outline, but even these, unlighted by a rational mind, lack mobility and are scarcely less disagreeable than the rest. Rarely one sees a face that might be called pleasant, yet more rarely a pretty one. Beauty is literally "more than skin deep."

The other bodily deficiencies of idiots as a class—malformations, deformities, spastic paralyses, etc., are patent to anyone who views a group of these unfortunates, but need not be dwelt upon here. Even where there is no outwardly visible defect in contour, the stamp is still in the fiber, and made manifest in every attitude and action.

In mentality idiots vary from almost absolute vacuity up to a range of thought that enables them to be almost but not quite self-supporting. There are no sharply-defined boundary lines in

psychology, and all manner of border-line cases are to be found, grading from fatuous idiocy into normal mentality. The plane of life of the more pronounced types is a very restricted one. Desire is the motive power behind all human action, and as the desires of these unfortunates extend but little beyond the cravings of hunger and thirst, their actions are correspondingly restricted. Many of them do not even feed themselves; the only intelligent action of their lives being to open their mouths as food is held before them. The majority, however, have mind enough to take food when placed before them, feeding themselves voraciously, and only stopping when the supply is exhausted; then lapsing into dormancy until the next meal is supplied. A few even of the lowest grade idiots take a more or less intelligent interest in their immediate surroundings. Now and again one is really inquisitive, prying into everything about the ward, and viewing a visitor with curiosity, in marked contrast to his fellows, most of whom would manifest not the slightest concern if the building were on fire. These inquisitive idiots are the talented members of their community, and are a step in the direction of those so-called *idiots savants*, the geniuses of idiotdom, who from time to time astonish the world with their mathematical feats or their instinctive musical capacity.

One cannot view a company of idiots of this lowest grade without asking himself the question, Of what are they thinking? They sit staring vacantly into space, almost oblivious of their surroundings, but still they are alive and they are conscious. Move one of them suddenly from his seat and he will probably prove by an outburst of temper that he is at least a sentient being. But consciousness implies continuous mental action during waking hours. The train of our thoughts may shift throughout the mazes of our experience, but while we are awake it will not stop. What then are the data supplied the idiot for this incessant thinking? Had he sunk into *dementia* after his mind was mature, he might still recall reminiscences of his past, supplying a vague but sufficient undercurrent for his shadowy thoughts. But the idiot has no past. His is a blighted, not a withered, mentality. Memory does not foster even the few ex-

periences he has had. Whence then his thoughts, since think he must? The answer is not altogether easy. Some idiots give us a clue by, as it were, thinking aloud, repeating some meaningless phrase over and over. One says, "Oh big six," in a monotonous tone perhaps twenty times a minute for hours together. He never speaks except to utter this phrase. The words must long since have ceased to convey any definite meaning to his mind, if indeed they ever had any meaning for him, but he repeats them as persistently as if they were a part of his vital functioning. Apparently the idle sounds serve as a focus for a vague attention, and a series of auditory sensations is the bridge of sentience that spans the gulf between his epoch-marking meals. These sensations are doubtless linked vaguely with other dim percepts, auditory and visual, but the plane of the thoughts thus evolved must be narrow indeed, at best only intangible dreamings.

The very paucity of ideas renders idiocy a condition of negative happiness. The lower grade idiot knows nothing and imagines nothing of any world beyond the pale of his own narrow environment. His fatuous happiness is in marked contrast to the feeling of most of the insane, who, remembering the outer world, and nursing a delusive belief in their own sanity, chafe under restraint and live in perpetual discontent. In terminal *dementia*, however, the mind is sometimes almost completely obliterated, and such cases are not objectively distinguishable from idiocy of the lowest grade. Such "dements" and the low grade idiot are the two contented mortals of the world. Satisfy their hunger at regular intervals, let them sleep as much as Nature dictates—they ask for nothing more. Day after day, year in and year out, they may go through a routine of living that does not involve deviation by a rood's breadth from the same restricted territory, nor the slightest change in diet or custom, and yet be as contented as the babe that nurses and sleeps and wakes only to nurse and sleep again. Like the infant, they may have moments of temper when some slightly disturbing element enters their narrow environment, but in general their life is placidity itself. Theirs is a living embodi-

ment of existence full to the brim with contentment; a state which sane mortals sometimes sigh for, but which no mortal would care for if he knew its price. Perpetual contentment must be kin to fatuousness.

The one really important question regarding the idiot is, Why is he an idiot? Because his brain has failed to develop, of course; but that only restates the problem in different terms. Why has his brain failed to develop? The strong natural tendency of every ordinary embryo is to develop into a normal adult organism. What forces overcame this tendency in the case of this unfortunate? Nothing like a comprehensive answer can be attempted here, but a few of the prominent causes, and especially some preventable ones will be considered in brief; such being, indeed, the main purpose of this paper.

It is obvious that the causes that blight the mind of an individual must be applied in the early childhood of that individual at latest. As a rule they are applied even earlier, acting through heredity. Of course the entire blame can seldom be laid upon a single cause, and it is often difficult to decide as to which cause was paramount; but after all it is not so important to know what cause has operated *most*, as to ascertain what causes have operated *at all*. Drs. Shuttleworth and Beach, two of the most widely experienced of English observers, have given their joint experience in a highly instructive analysis of 2,380 cases of idiocy that have been cared for in the institutions over which they respectively preside. They find that in about fifteen per cent of their cases what might be styled accidental causes affecting the child after birth have been at least partly responsible for the failure to develop. These causes are injury to the head in infancy, as from a blow or fall; fright or mental shock; sunstroke; and severe febrile illnesses, as from scarlet fever, smallpox, etc. These must in large measure be ranked as unpreventable causes; but the number of such cases is gratifyingly small, and doubtless in many of these the direct exciting cause was only the last item in a series of causes—the determining straw.

In about as many more cases, injuries to the head at birth are believed to enter into the causation of idiocy, the damaging ele-

ment being usually the prolonged pressure of a protracted labor, and not the use of obstetrical instruments. Indeed, it should be understood that in all probability the injury resulting in idiocy might have been prevented in many of these cases had the use of instruments been resorted to early and judiciously. The prejudice against instrumental deliveries existing in some quarters is absurd and mischievous, and may lead to disaster in more ways than one.

In a strikingly large proportion of cases twenty-seven per cent infantile convulsions are recorded as a probable factor in the causation of idiocy. It is well to remember, however, that infantile convulsions not terminating thus are very common, and that the convulsions are themselves the result of yet deeper causes, some of which may have their source in heredity. Nevertheless the fact that twenty-seven per cent of idiots were subjects of infantile convulsions must be more than a coincidence, and should teach us to regard such convulsions as of grave import and worthy of most careful treatment in all cases. The same remarks, slightly modified, apply to epilepsy, which, though itself a symptom rather than a disease is yet a causative factor in eight per cent of cases of idiocy.

Let me reiterate that these and all other causes that may operate upon the individual organism are only part causes. A few days ago, walking in Central Park after a storm I found the ground littered with branches of trees. Here and there even trunks had been snapped in two, or entire trees uprooted. But the trees that had suffered most were chiefly of one kind, the ailantus. Beside these were elms that had weathered the storm with the loss at most of a few twigs. The storm was the direct cause of the destruction of the trees that had fallen. But the same storm had beaten upon other trees unavailingly. It had found the slow-growing elm sturdy and resistant; but the precocious ailantus proved an easy victim. Inherent weakness in the tree was the all-important silent partner of the storm. Just so the human organism. The fever, the blow, the protracted pressure fall in the one case upon a resistant individual that reacts unharmed; in another case upon an inherently weak indi-

vidual, whose energy of development is snapped in twain forever, like the trunk of the weak tree. The lesson is that the weakling must be shielded. The physically unfit may prove the intellectual giant if skillfully nurtured. To foster the weak is not Nature's way, to be sure; but it is the way of civilized humanity.

To attain the best results, however, we must go back of the individual. All observers agree that in the great majority of cases of idiocy, whether or not an exciting cause can be discovered operating upon the individual, a predisposing cause has been traced through heredity. If this predisposing cause is strong enough, it alone suffices; if not so overmastering, an exciting cause must be applied to the individual to turn the scale. Manifestly it must be more difficult to trace hereditary than direct causes. In either case one may confound coincidence with cause, but in the case of heredity it is peculiarly difficult to get at the facts themselves. People almost uniformly feel that some stigma attaches to any hereditary taint. The mother of an idiot child will perhaps admit freely, without appearance of shame, that she carelessly let her child fall, injuring its head; while concealing the fact that one of her parents was insane, as if this were cause for humiliation. Such is the logic of the average individual regarding matters ethical. But even such partial genealogical exploration as is possible, reveals in the case of idiots some highly important data.

Among the facts well established is a striking relationship between phthisis in the ancestors and idiocy in the descendant. In 28 per cent of the cases under consideration, phthisis in one or more ancestors has been ascertained. It must not be supposed, however, that there is any direct and necessary connection between these two conditions. Phthisis is a "protean disease" which so characteristically saps the vitality of its victim as to have long since received the popular name of consumption. Through this devitalization it may prepare the way for many other diseased conditions which the healthy organism would successfully combat. The nervous system, being the highest and hence the least stable tissue of the body, is apt to suffer first and most

(excepting, of course, the tissues directly attacked by the germs of the disease). The offspring of such a devitalized organism may fail to inherit sufficient of what, for want of a better name, we may term inherent or initial energy to insure its normal development. The result is a weak or sub-normal organism, which, according to the degree and kind of initial weakness, and the aid or injury subsequently wrought by its environment, may be nervous or neurasthenic, choreic, epileptic, actually idiotic, or insane. The prevalence of phthisical history in the ancestry of idiots suggests important sociological bearings on the question of the marriage of consumptives.

That the offspring of insane or imbecile parents tend to idiocy is of course not surprising. But as such persons are usually restricted in their opportunities for parentage, such hereditary history is found in only twenty per cent of cases of idiocy. Even such a showing as that, however, strikingly illustrates a kind of survival of the unfit which even civilization does not warrant, and suggests an obvious moral.

But most potently suggestive of all is another array of statistics which tells that in from sixteen to forty per cent of cases of idiocy, according to observations among different classes, intemperance is traced in the immediate ancestors. These observations seldom or never go back of the second generation, and in most instances are confined solely to the parents of the afflicted ones. It is obvious that the most searching inquiry in such a field must fall far short of complete discovery of the facts, and we may safely add a considerable percentage of "probable intemperance" to any percentage of detected intemperance. Could we probe ancestral histories to the bottom we should find that intemperance, even though denied, had in another large increment of cases been a factor in the causation, through heredity, of epilepsy, and infantile convulsions that are so often the immediate precursors of idiocy.

Nor would even these aggregate estimates do full justice to the power of alcohol; for reference has been made only to those cases of actual inebriety in which the system of an ancestor has been undermined by the drug. Only in such palpable instances

would the fact of "intemperance" be demonstrable. But there is another class of cases, probably even more numerous—though here statistics in the nature of the case fail us—in which the effects of alcohol are more direct and equally baleful. It is current belief, both in popular and scientific circles, that the condition of the parent at the moment of procreation is largely influential in determining the exact vital status of the offspring. If this belief is well founded, the offspring of a parent who is not an habitual drunkard but is temporarily intoxicated, is threatened with an awful fate because of the lowered vitality of the parent brought about by the alcohol in his system at the moment. There is even reason to believe in the yet more direct action of alcohol in such a case. It is known that alcohol affects the organism almost directly in proportion to its immaturity. A growing animal will be stunted in physical development if given alcohol, a fact well known to animal breeders, and acted upon in the production of dwarfed specimens. A youth taking alcohol is much more likely to become a drunkard than is an adult, proving that the system of the former is more profoundly affected by the drug than that of the latter. It is but reasonable, therefore, to suppose that the infant organism, at the very moment of its inception, is most of all susceptible to this poison; and as alcohol permeates every tissue of the body there can be no doubt that the incipient organism comes within its influence under the conditions we are assuming. That the result is often "unaccountably idiocy" in the child need not be doubted; nor can we question that in a much larger number of cases the damage done, though falling short of this degree of impairment, is still vast and irreparable.

And if actual intoxication is, as believed, thus baleful, the results of a less degree of indulgence than actual intoxication must be proportionately harmful. It requires no great stretch of imagination to suppose that in a very susceptible organism, where other causes were also in detrimental operation, even a very little alcohol in the system of the parent might turn the balance, and become the one potent determining cause of idiocy in the offspring. In this view, even so common and seemingly

harmless a custom as the taking of a glass of wine at dinner, may be of sociological importance in a way not commonly recognized. I make this application with some hesitancy, trusting, however, that it will be obvious that such comment is not by any means equivalent to the inculcation of uniform teetotalism. My present purpose looks to the possible prevention of idiocy, rather than to the promulgation of temperance.

One other point in connection with the causation of idiocy deserves especial attention. We are told that in almost thirty per cent of cases of idiocy, an abnormal condition of the mother during gestation was supposed to be at least a contributing cause of the defect in the offspring. Whether the child in utero is directly affected by any mental state of the mother, is a moot point with the presumption strongly in the negative, but that it is affected by physical conditions of the mother admits of no questions; and as the physical condition of the mother depends largely upon her mental condition, the moot point is for the present purpose a distinction without a difference. The ancient Greeks set an example that moderns might imitate to advantage when they sedulously shielded their wives during the trying period of gestation from all avoidable worriments and surrounded them with all things beautiful and diverting.

I have dwelt thus at length upon the causes of idiocy, with hints as to prevention, because beyond this there remains little that is hopeful to be said. Idiocy implies an inherent defect that can by no possibility be supplied artificially. No process of training will develop the idiotic child into a normal adult. It should be understood, however, that some potentialities of development are within every idiot of whatever type, and that these can undoubtedly be brought out to best advantage in institutions especially intended for that work. It is mistaken kindness on the part of any parent to keep a "feeble-minded" child at home. One may go further and say that the parent is morally bound to send such a child away from home. The interests of the child itself demand this. The systematic training of the school will certainly do the most that is possible toward making it approximate normality. I have seen idiots of

a very low grade whose chief intrinsic defect seemed to be congenital deafness alone, and whose minds might have been developed, I had reason to believe, to the verge of normality had proper training been begun in time. But in their early years deaf-mutism, due to a defect of the ear, was mistaken for a defect of the brain itself, and the mind was not supplied proper pabulum for growth. Unquestionably thousands of idiots are doomed to a life of mere animality by being "fostered" at home instead of being sent to an institution where their latent faculties, even though restricted in compass, could be developed far beyond what might seem possible to an unskilled observer.

But even aside from the welfare of the idiots themselves, the interests of the public at large demand their segregation. The moral effect upon normal children of contact with such defective beings must not be overlooked. Such influence cannot but be bad. To needlessly subject a community to such an influence, as is done in thousands of instances to-day, is an imposition amounting almost to a crime.

HENRY SMITH WILLIAMS.



ANOTHER SUGGESTION FOR THE USE OF SILVER.

BY C. W. WILEY.

AT THIS time everybody has a specific for financial disease. The Populists prescribe unlimited national paper issue; the Democrats, judged by their Chicago prospectus, state bank paper; the silver mining interests, in conjunction with their Democratic and Populist sympathizers, free and unlimited coinage of silver at the ratio of sixteen to one of gold. Others prescribe free and unlimited coinage of silver at various other ratios, ranging from fifteen and one-half to one of gold to twenty-eight to one. Some prescribe a single gold standard with silver as a subsidiary coinage. Others wish more gold bonds to be sold and want to increase the issue and power of national banks. Some want to abolish national banks and bank notes. Others favor a sub-treasury scheme, under the auspices of the national government, to issue paper promises to pay on all grain, metal, land, and other values. Each panacea is guaranteed by its sponsors to be a perfect, thorough, and satisfactory remedy. Every quack has his nostrum; every theorist, his theory, and every vagrant, his vagary. Should the patient be left at the mercy of the doctors, his life would soon be doctored to eternal oblivion.

No one doubts but that there is financial disease. The serious question is the remedy. In the first place, nearly every one believes that what is known as the Sherman purchase clause of the last silver act should be repealed. In that respect both silver and anti-silver men agree. It has failed to satisfy both friends and foes. The silver men desire some substitute to compel an enlarged use of silver as money. The anti-silver men want unconditional repeal. Both claim to be bimetallists, and each charges the other with being monometallists. All parties

declare in their national platforms for the use as money of both gold and silver. Excluding the Populist heresy of unlimited paper issue, a large majority of American citizens desire the money of the nation to be composed of both metals. They desire gold and silver to be the basis of all other money issues. It is the ratio between the value of these metals that bothers.

Taking it for granted that it is the common desire of all thoughtful citizens to use both metals as money, how shall they be used? A word as to standards. There should be but one money standard of value. A double standard never has been and never will be a success. Political economy, experience, history, and common sense, all teach that there will always be greater or less fluctuations between the relative values of the two metals, whatever the established ratio. Supply and demand of each metal, always varying, produce fluctuations of value and cause endless changes of ratio to preserve a parity. Which metal, therefore, should be taken as the standard? Either will do; but since gold has been made the standard throughout the leading nations of the world, and chiefly so by the United States, it would be the better standard, and avoid much trouble and expense in commercial dealings with other nations.

Then what shall be the use of silver? This country is a large producer of silver. There is plenty of use for it as money. It should be so used. There is none too much of it. There is not enough gold in the world to supply the money needed in commerce. I believe there is none too much of both the precious metals to supply that demand. If there were enough of either, I should say use that one to the exclusion of the other and so obviate all difficulties. The trouble is both have to be used. I do not believe in an absolute, arbitrary ratio. I do not believe that any nation can increase or diminish the value of any commodity for a long time or to any appreciable extent, by an arrogant fiat. What need of any ratio? No sooner is a ratio established than supply and demand, production and consumption, immediately cause a change; and that ratio is a false one. Gold appreciates and silver depreciates, or *vice versa*.

I offer no excuse for suggesting another remedy. It may be good or not. It is designed to increase the use of silver as money and to furnish a market for the entire production. I think it supported by sound logic. Hon. W. A. Logue of Montana, is its sponsor. I have modified his idea. He did not suggest either metal as a standard. I want one of the metals to be a standard. For reasons heretofore mentioned, let that standard be gold. Coin a certain number of grains of gold as the standard dollar. Let the government receive all silver bullion at its various mints. Let it coin and stamp it; not as so many dollars, but as so many ounces of pure silver. Let it be alloyed as at present. A small seigniorage might be charged to cover expense of coining and stamping. Should the owner of silver bullion prefer, let the government issue to him a certificate or certificates, stating that so many ounces of fine silver have been deposited with the government to the credit of the holder of such certificate or certificates. At any time, any holder of such certificate or certificates may surrender the same and receive the amount of stamped silver specified therein. The certificates can be issued in denominations of one, two, five, ten, twenty, fifty, one hundred, two hundred, five hundred, and one thousand ounces. Precautions and regulations against counterfeiting and mutilating these certificates and stamped tokens can be adopted as are now in force with respect to present money issues. The designs, both for such certificates and stamped tokens, should be made so as to readily distinguish them from other money issues. Fractional coinage and all other money, now in circulation, could remain as at present without change, and be sustained on the gold basis and by the gold standard.

By thus coining and stamping all silver bullion offered at the mints, or issuing certificates for the same, there would soon be a large additional circulating medium, sufficient to supply all demands of trade and commerce. All the silver produced would be used. Silver would then stand or fall on its own merits. There would then be no excuse for silver advocates to declare that the government and "gold bugs" discriminated against their metal. They could not then claim that silver was reduced in price and

depreciated by conspiracies in Wall and Lombard Streets. There would be no reason for the anti-silver men to decry the use of silver as a depreciated, debased, and dishonest currency. There would soon be plenty of circulating medium, thus leaving the Populists no excuse for demanding an unlimitable and irredeemable gorge of worthless paper fiats. There would be no need of an enlarged issue of national bank notes. There would be provided sufficient currency to meet the demands of trade, so that when the United States bonds became due they could all be paid off and the bank notes issued on them retired and cancelled. Everybody that wanted silver money could have it. Of course, no one could have silver currency or any other without its equivalent in value of labor or property values. This silver currency would be honest, sound, and based on actual value. There would be in it no fiat or fictitious value. It would furnish an outlet for silver production. There would be no arbitrary ratio. It would be used in international trade. It would be as good in England and India or Germany as in the United States.

There would be, undoubtedly, one feature of embarrassment in the usage of such currency at the start. How difficult this would be, experience alone could make manifest. I refer to the difficulty of estimating the exact value of a certain amount of such silver currency converted to present currency, and *vice versa*. It would be a matter of some trouble and embarrassment, but by no means insurmountable. Practice would soon facilitate exchange between the different circulating mediums, and might soon make it easy. It would be no new idea. During war times in the sixties, there was a vast deal of interchange between greenback and gold currency. Mexican, Spanish, English, and Canadian money, sometimes in large quantities, has, at various times, been in circulation in this country with our own money. There was a time in early California history when gold dust and slugs of gold were used as money along side of the national currency. This was also done in the early history of several of the other states and territories. History teaches that various commodities, such as bark, wampum, shells, tobacco,

furs, and numerous other articles, were used as a medium of exchange along with the usual currency. All were used and usage made facility. Any commodity, used as a medium of exchange, will soon arrive at a fixed and determined value for such purposes. Why, then, should a fixed amount of silver, of known weight and fineness, present any great difficulty as a medium of exchange? I do not regard it as any great difficulty as soon as its usage has been established for any great length of time.

Then there are those who will make a bugbear of the question of fluctuations in the value of silver. There is nothing in that. Silver is not liable to fluctuate any more than gold; at least, such has been the experience of ages. And no one can prove that the various changes of interchangeable value between the two metals in the past are attributable to silver more than to gold. The decline in silver bullion in relation to gold bullion has been brought about chiefly by its demonetization by the leading nations of Europe. Lack of usage makes decreased demand, and decreased demand makes depreciation of price. Who doubts that had those same nations demonetized gold and made silver their standard money, that gold would have depreciated in value at a similar decline? The talk of the decline in the price of silver bullion being due to its cheapened production is nonsense, and but shows the ignorance of those who so maintain. If such be the cause of decline, why have not gold values similarly retrograded? Improvements in machinery have made in the production of gold an equal if not greater cheapening in its cost. Any mining man familiar with the subject can so affirm and prove. In fact, at present thousands of dollars in gold are being produced at a good profit by working over tailings and leavings of old mills and placers. Tons of gold ore that were left on the dumps, running from three to fifteen dollars per ton in gold, are now being milled at a cost of from seventy-five cents to three dollars a ton, which twenty years ago would not pay to work. At the latter date it cost from ten to twenty dollars a ton to work free-milling gold ore. No such corresponding reduction has been made in the milling of silver ores. At least

seventy-five per cent of silver ore has to be smelted to procure the silver. The reduction in the cost of smelting silver ore in the last twenty years has hardly been fifty per cent. The cost of producing silver from free-milling silver ore has been reduced to about the same as that of gold from free-milling gold ore. A large percentage of the gold produced from quartz is found in silver ore. By the stoppage of silver mines the production of gold will be greatly curtailed. At present nearly all the silver mines in the West are closed. A few of the richest alone are being worked. This has caused untold disasters in mining communities. Thousands are idle and will soon be thrown upon the charity of the world unless relief comes. The results of the closing of the mines are similar to what would be the result produced in eastern manufacturing communities if all the factories and shops should be closed. Every industry is affected, and bankruptcy stares the people in the face. No one need wonder, then, at the occasional intemperate language indulged in. Something should be done by Congress, if possible, to relieve the situation. It is only the fool or politician, who, under the circumstances, will insist on some pet theory as the only solution of the problem. Give the mining communities relief. Start up declining industries. No pet ratio will be insisted on by the sensible. What is the ratio of sixteen to one compared to a question of bread and meat? Any remedy that will revive hope and industry will be satisfactory.

Whatever is done should be done in the interest of sound money, and should be permanent. Let there be no more makeshifts. There may be difficulties in the plan above outlined. There would be a question in regard to the legal tender quality of the proposed silver currency; but wise and experienced financiers and statesmen should be able to solve such minor problems. The basic idea of the proposed currency, I believe to be sound. Let all criticism be used to further and better the plan, or to substitute a better. I am aware that the wisest and ablest talent is none too clear and profound to adjust subtle questions of finance.

These ideas are respectfully submitted with the hope that



there may be something of value in them, and that they may help shed a little light on a vexatious problem that must be solved. And may it be so solved as to relieve a suffering people, and in the interest of all; without detriment to any portion of our common country, but to the mutual profit and advantage of every citizen.

C. W. WILEY.

THE DESIRABILITY OF A GOLD STANDARD.

BY RICHARD T. BUERSTATTE.

THE recent panic, though it has done tremendous evil in closing factories and banks which were really sound, and in throwing out of employment thousands of able and willing workmen, has nevertheless done some good. For instance, among the many concerns which have resumed or will resume operations, or which have paid or will pay dollar for dollar of their liabilities, were a great many which were long since really bankrupt, which ought to have gone into the hands of a receiver long ago, and which will be able to pay only a few cents on the dollar. But foremost among the good the panic has done is the teaching of the costly, and by experience doubly impressive, lesson of the danger of compromising upon financial policies, or of ignoring the great and ever-present law of demand and supply in financial legislation.

The fear incited by the drain on our gold reserve, and the apparent unwillingness, at first, of the president and his secretary of the treasury to issue bonds if need be to maintain the parity between the gold and silver dollar, were the primary, though not the most important, causes of the panic. But we must go back still further to discover the causes for the great exportation of gold. Since 1890 the banking houses of England have been in difficulties, and when the failure of the great international banking establishment of the Baring Brothers, which was occasioned by tremendous over-speculation with borrowed capital, in the Argentine Republic, was followed by almost daily failures of large banks in Australia, the losses were felt most severely in England, and consequently American securities were sent home to be cashed. This started the shipment of English securities and of gold, and that was soon increased by the bal-

ance of trade being against us to the extent of over eighteen millions of dollars. Still, these were not the only causes of the drain on our treasury's reserve of gold. Besides all this we had the act of July 14, 1890, on our statute books, and foreign holders of American securities cashed them from being paid in depreciated coin. All the vaporings that the 16 to 1 ratio, independent-action bimetallists have been wasting since 1878 upon hearers who could not see how the government's stamp was to float a fifty-cent dollar at par, had their effect too in frightening foreign stockholders and American depositors, and the fact that the "silverites" have of late been growing stronger and stronger in Congress gave weight to the fear that they might embody their policy in law. And then came India's action, and the fall of the price of silver to sixty-eight cents an ounce. There had been distrust and some failures before, but now both were greatly increased, and all the while we were purchasing silver bullion at the rate of 4,500,000 ounces per month, and storing it up in our treasury vaults.

It has been urged that the banks themselves were partly to blame for the large withdrawal of deposits. It is argued that had they loaned money freely and at brisk rates, of course, to protect themselves, instead of grudging every penny of a loan, and refusing to business houses that credit which should have been accorded them, a great deal of the history of the past few months might read differently; for this alleged short-sighted policy almost immediately brought its results in the shape of apprehension on the side of depositors that the banks themselves might be unsound. That many of the failures of the 549 private, savings, state, and national banks, with assets estimated at $176,791,417, and liabilities at $165,731,618, might have been avoided, is shown in the estimates of assets and liabilities, and also in the fact that 94 of these have since resumed, 61 of those resumed being national banks, out of 154 failures of national banks. Still, we cannot, in justice and equity, lay the blame to the banks, for they were in duty bound to loan only as little as possible so as to guard against a "run" and a receiver; and the magnificent showing made by the large associations of banks in

New York and others of our large cities, proves that the banks did their utmost to prevent the coming of the panic and devoted their best efforts to the mitigation of its severity when it was here.

The closing of these 549 banks wrought great distress, for not only could the workman not get at his savings, but he was also thrown out of employment, because a great many manufacturing concerns had to close for lack of funds. The threatened tariff change also had its effect on certain industries, because it was justly deemed advisable to first sell out the stock on hand, and then work only a small force of men and keep on hand only a small stock of goods from month to month, until the threatened change and its effects could be determined, and action taken accordingly. But I believe that this cause did not close many factories, perhaps only little more than one per cent of those that did close.

When the president saw that the panic was upon us, and that by the large hoarding of gold, money was commanding a premium of three or four per cent, he hastened to call a special meeting of Congress to remedy the state of affairs. Even this act helped to allay somewhat the fear and panic. But what has Congress done since it met on August 7th? The House soon passed repeal by the unexpectedly large majority of one hundred and thirty. The Senate meanwhile talked and is still talking. One day, reports state that unconditional repeal will pass, the next, that it will not pass; one day the formulation of a compromise is heralded by glaring headings, half a column in length, and text six columns more, and figures are given to prove that a majority has been secured for its passage, and the next the whole statement is again denied. But the public has long since wearied of the talking and the dallying. Unconditional repeal must pass, sooner or later; why not sooner? The great majority of the people are in favor of it. The Senate should remember that confidence is as tender as it ever was, and that we are not in a normal condition yet. Thousands of people are still looking for work, and hundreds of factories are in operation either only part of the regular time or not at all. But still more is the

present condition shown to be not yet free from danger, by the facts educed in the public debt statement issued at Washington on October 2. The gold reserve on that day stood at $93,582,-172—still below the mark; and the public debt, which amounted to $961,386,775, $585,037,740 of this bearing interest, $1,984,-770 with interest ceased since maturity, and $374,364,264 bearing no interest, showed an increase in September of $834,793. There was a reduction of $4,408,277 in the cash balance of the treasury, the net cash balance being $13,293,461, and the total cash balance $106,874,633, against $107,283,910 on August 31. The total gold in the treasury, coin and bullion, was $173,209,-771, and the cash offsetting the certificates and treasury notes amounted to $570,225,363, or an increase during the month of $4,610,482. The total increase in the circulation of national bank notes since September 30, 1892, has been $35,911,254, making the total outstanding on September 30, 1893, $208,592,-172. The comparative statement of receipts and expenditures of the United States puts the total receipts for September, 1893, at $24,582,756, and the total expenditures at $25,450,010. That we have a gold reserve of only ninety-three millions instead of one hundred millions, that the expenditures for the past month exceed the receipts by almost a million dollars, and that our debt increased in one month over eight hundred thousand dollars are, in themselves, statements not very alarming, but it is undoubtedly true that should the senators fail to pass repeal, we might, and probably would, have a return of the panic; and generally the relapse is more dangerous than the attack proper.

There are some curious and inexplicable aspects to the case, were we to charge the trouble to the tariff, because the panic is over, and the threatened change is still to come. There are some puzzling aspects to the case, were we to charge the panic solely to the fear incited by the drain on our gold reserve, for from January 1 to February 4, $14,744,510 in gold were exported, and between February 6 and September 16, the imports and exports of gold just about balanced each other. Yet the panic was felt most severely in this latter interval. The panic, in all its phases, is perfectly clear, however, when we charge it to the

act of July 14, 1890 and the fear it incited after the exportation of gold had begun. Foreign holders of American securities cashed them from fear of being paid in depreciated coin otherwise. Everyone saw that no government could alone champion the cause of a depreciated and discarded money metal, purchase large amounts of it monthly in the vain and foolish hope of keeping up its price, or coin it in unlimited quantities into full legal tender dollars, worth only about half their face value, without, sooner or later, and sooner rather than later, having its credit shaken to the very foundation.

The first action, then, should be the prompt repeal of the objectionable statute. By the time this article is printed, I hope that will have been accomplished. But there must come the consideration of a plan to settle our currency, once and for all, on a sound, stable, and world-wide recognized basis. That basis can be no other than gold.

It has been asserted time and again that there is not enough gold to transact the business of all the world, that gold is constantly appreciating in value, and that the discrimination against silver was the result of concerted action among a few powerful men who plotted the ruin of this whole country for their own advantage. It has been proven time and again that these charges, one and all, are false. Were we to concede that there is not enough gold to furnish a basis for all countries of the world, we would still claim that a gold basis would furnish this country with an *ample* and a *stable* standard. All countries of the world will not use gold—cannot use it by reason of their peculiar customs and requirements. China, for instance, cannot use gold as full and only legal tender, because the daily wages and expenditures of the average native are so small as compared with those of our laborers that the bulky copper coin he uses is the only one that he could use. Were he to receive gold in payment for his services, the piece which would represent his wages would be no larger than the flat surface of a split pea—a breath could blow it away. Thus the workman of China would have no use for gold, and gold could not be the standard of value for him.

Now, perhaps my statement that were we to concede, for the sake of argument, that there is not enough gold to furnish all countries with a basis, we could still maintain that a gold standard for this country would be ample and stable, may not appear as paradoxical as at first glance. Only the important nations of Europe, if we except ourselves, are on a gold basis. Silver has been discarded by them and by us, for we too are really on a gold basis, and have been since 1879, for exactly the same reason that candles have been discarded in favor of electric lamps and stage coaches in favor of railroads. Silver will not be used again unless gold is found insufficient. Of course, we will use it as subsidiary coin, but not as full legal tender. Now, if there were an insufficiency of gold, what would be the result? There would be either international bimetallism or a fight for gold, and, in the latter case, we could use our wheat and our oats, our barley and our corn, our cotton and our rice, the products of our looms and our forges, of our mines and our farms; we could pledge the best credit in the world and hold and control a large, the largest, stock of gold, and thus control the financial centers of all the world.

But the assertion that there is not enough gold, is not the only one with shadowy foundations. It has been and is constantly asserted that gold is steadily appreciating in value, and prices consequently falling. But, as Mr. David A. Wells conclusively, I think, showed in his article in the October number of *The Forum*, this fall in prices is due to improved methods of production rather than to the appreciation of gold.

There is one point over which the independent action bimetallists generally wax more than usually eloquent in denunciation, and that is the absurd claim that the demonetization of silver was due to the action of a small party of interested speculators who wanted to made "flesh and blood cheap, and bread and money dear," as Mrs. Lease puts it. That Mr. Ernest Seyd, who was one of the leading financial experts in the world, and a bimetallist (as shown by his published books), or any one else, ever paid $500,000, or any other sum, to the Congress of the United States in order to secure the demonetization of silver, is

a charge as false as it is infamous. That there was anything surreptitious about the passage of the demonetization act is a charge equally infamous and equally false; for the *Congressional Record* and the newspapers of the period show that the measure was before the people for nearly three years.

I have already shown that I am in favor of the gold standard. Why am I opposed to the free and unlimited coinage of silver at the ratio of 16 to 1? Because under present conditions such a silver dollar would be fiat money, and we would then inevitably drift to the gulf of silver monometallism. Then could we not have free coinage at an 18 to 1, or 20 to 1, or 24 to 1 ratio? No, for the money would still be fiat, the dollar would be accepted only here, and not long here, for its face value; it would drive gold from the country, it would be the prolific cause of panic and disaster. I would strongly oppose the free and unlimited coinage of silver at the correct ratio or about 28 to 1. The eyes of the principal nations of Europe are upon us, our policy will decide their policy; our action, their action. They will not inconvenience themselves to aid us; we need not hope that. If, now, we alone of all nations using gold in large quantities, would coin silver in unlimited quantities, even at the correct ratio, what would be the result? If the price of silver were to rise ever so slightly the mintage would have to stop. If, on the contrary, the price were to fall ever so slightly the dollar would become fiat at once. The indications are that the price would decline, because the United States cannot alone use all the silver produced in the word and still keep gold in the country; we must be content with either a large stock of gold alone, a large stock of silver alone (as full legal tender), or a moderate stock of gold and silver. But with a large stock of silver alone, where would our bimetallism be? Another point: The cost of recoinage of our old silver were the ratio changed.

On August 19th the secretary of the treasury made a careful estimate of the loss which would result by the recoinage of the silver money now on hand into dollars and subsidiary coin, with a value in the ratio of twenty pounds of silver to equal one of gold. His results were briefly as follows:



Estimate of cost of recoining the silver dollars already coined:

New bullion to be added	$75,883,700
Loss by abrasion and melting	3,000,000
Cost of coinage (labor, materials, etc.)	6,290,000
Copper for alloy	68,200
Transportation of dollars to mints	4,500,000
Total	$89,741,900

Estimate of cost of recoining the subsidiary silver coins:

New bullion to be added	$17,528,785
Loss by abrasion	1,925,000
Cost of coinage (labor, materials, etc.)	2,500,000
Copper for alloy	15,636
Cost of transportation	1,155,000
Total	$23,124,421

RECAPITULATION.

Estimated cost of recoining silver dollars	$89,741,900
Estimated cost of recoining subsidiary silver coins	23,124,421
Total	$112,866,321

But we must recoin our silver at a ratio of 28 to 1 would we want to remove the objection to fiat money. To have this ratio of 28 to 1 we would then have to add to our estimated total the price of new bullion, extra cost of coinage and of transportation, and the cost of new copper for alloy. The new bullion required would alone make an additional cost of $186,824,970, making the grand total equal to $299,691,291. This, then, would represent a little less than the cost of recoining our old silver into coins of a 28 to 1 value. Besides this cost of three hundred millions we would then have the comforting assurance that we had an unstable basis and a very near prospect of silver monometallism.

Thus a 28 to 1 and a 16 to 1 ratio are equally impossible. The only possible alternatives left us are a gold standard or international bimetallism. The latter can be secured only after those foreign nations, which are now opposed to the policy, are brought to a realization of the insufficiency of gold, and proceeding on the presumption that there is an actual insufficiency, they can most surely be brought to its realization by our entering the world's markets and fighting with them for the possession of the gold. If there is an actual insufficiency we would thus soon have international bimetallism. If there is not, we would continue on a gold standard, using silver in large amounts as sub-

sidiary coin; and why not? Gold is not appreciating in value. If by reason of some accident or miscalculation we should have an insufficient supply, the value of each dollar would increase and prices consequently fall. This country would then be a good one to buy from and a poor one to sell to. Consequently the balance of trade would be in our favor and the supply of gold would be increased by importations of it. If, on the other hand, there ever were too much gold, its value would decline, prices would rise, this country would be a good one to sell to and a poor one to buy from; the balance of trade would consequently be against us and our volume of gold would approach the normal amount. Thus the amount of gold would be absolutely self-regulating. And of its oft-questioned sufficiency one more vindication—95 per cent of our transactions are done on credit.

RICHARD T. BUERSTATTE.

SILVER MINERS, DEBTORS, AND MONEY.

BY GEORGE CANNING HILL.

THE present legislative struggle over the question of the retention or rejection of silver as a money metal equally with gold is almost necessarily mixed up with class, corporate, and individual feeling, because of identity of interest, and is colored and even flushed with the hues of transient passions, from the fact that it is human selfhood contending with the larger and more enduring rule of general benefit, the lesser instinctively striving for not only the greater but the whole.

When what constitutes the lever of a great social power like that which deals exclusively in a country's currency, which is the circulatory agent and stimulus of its life and health, presumes, as might naturally be expected of it, to encroach upon the common right and welfare, and with conscious or unconscious greed invades the domain of the general good in the hunger of its desire, it must be allowed that, in a state of progressive civilization, it is time to apply the restraint of an informed public will to dislodge the gristle of presumption before it is hardened into the bone of precedent, to assert for good and all the supremacy of the general convenience and need.

It is a struggle of such sort that expresses the real meaning of the current monetary contention, involving morals even more than interests, shaping national character equally with national prosperity.

Nevertheless, it ought rather to be a conference of opinions, a parliament of views, a congress of debates, whose chief characteristic should be a competitive desire for the universal good; if, as human affairs go, it may not be a sedate study of the practical application of ascertained principles to actual emergencies, it at least might range high above that level whose soil is prolific of

epithet and accusatory jargon—it should be removed from the arena of low prejudices and abusive rivalries.

They who rationally yet firmly insist on the retention of the white metal equally with the yellow need not, under pretence of coming to a truer understanding of the dispute, be assailed as disreputable in point of character, as conspirators against their fellow-men, as rebels against the general welfare and prosperity. If any class interest is to be singled out as the scapegoat to bear the sins of misguided or maladroit policy in respect to the currency, it surely might be more reasonable to charge these sins upon the calculating and contriving dealers in money, whose motives cannot be placed wholly above the reach of question, than upon the producers of one of the constituent money metals, who at best are at the disposal of legislative influence and at no time in a condition to dictate and control.

To accuse them, or the great debtor class, of a disposition to conspire selfishly for their own particular good, is for the obstinate twelfth juror to rail at his fellow-eleven, for the idle few to upbraid the vastly outnumbering industrious, the fortunate handful to arraign the still unfortunate many, the wolf to impeach the quality of the stream flowing from out its own red jaws down past the station of the helpless lamb.

By common consent, the expectation of a reform achievement at the hands of those who have forced the dire necessity of reform, is held to be a broad absurdity. Abuses are apt to be vindicated rather than removed or remedied by those who are responsible for them. Where an interested motive is obvious to the ordinary sight, it is not for its possessor to initiate a campaign of indictment against those whose very worst motives would not constitute a tithe, and scarcely a tittle, of the weight of that which notoriously loads down the accuser.

The favorite resort of the monometallic plaintiff in the present case is to the reiterated charge of pure and unadulterated self-interest on the part of the defendant producers of silver and the great debtor class, which in this comparatively new country constitute the overwhelming industrial majority. It is a charge far more easily made than answered, and therefore a



favorite mode of argument with those who reject all argument, whatever that weakens their own claims or dislodges them from their position. At the most it proves nothing, makes nothing more apparent, begets nothing but a wholly needless irritability. It reaches down to no underlying cause—comes no nearer to a remedy for recognized wrong or error.

This is a question to be determined even approximately and tentatively by the experience of all rather than by the interest of a favored few. The accepted custom of years will be much more decisive of it than the self-assertive theories that serve chiefly a new school of unsuspected spoliation. If the apostles or disciples of this school will but consent to fairly measure weapons with those who contend only for the reinstatement of right under reason, as it is illuminated by experience, there need be no apprehension that the result will not secure the sincere and complete concurrence of their opponents. And that assuredly cannot mean the governance, first or last, of selfish interest. It does mean the deserved, the delayed, the disputed supremacy of the common good.

THE SILVER MINERS.

To attempt to put the responsibility for the present condition of finances, and consequently of business, upon the owners of silver mining properties, and accuse them of engaging in a conspiracy to compel the purchase of their product at an artificial price, is a demonstration of egregious folly and the malignancy of blundering ignorance. A very low grade of instructed intelligence ought to be sufficient to uproot such a prejudice instantly. When approbrious epithets begin to fly in the air, the suspension of reason is sufficiently assured.

First, silver, which has always been one of the world's money metals, is deprived of its rank and degraded to the level of a commodity; then the producers of silver, who are likewise the pioneers of the settlement and development of our vast Western domain, are called conspirators for their united protest against the rank injustice of the destruction of their property. They rightfully become indignant at being told that they are free to transfer their laborious and costly industry to some other field of

operation. To be so bidden, too, by the power that seeks the destruction of their property is the hardest strain that could be put upon human endurance.

It is not simply a product, like coal, iron, and copper, that is yielded by the silver mines; these are at best only represented by money, which imparts to them their commercial value; but it is one of the world's measures of value for all products, and far more than this, it freely exchanges for all other products, which none of the others do. Hence it is to be kept in mind that it is money itself, though as yet uncoined, that is sought to be first degraded and then destroyed by the combination that would, if it could, bury the silver mining industry under the dump of its accusations and epithets. Once getting it into a position of public disfavor, after having degraded its product by purchased decree and furtive legislation, this calculating, greedy, remorseless, and insatiate combination, with a sublimity of effrontery that has no parallel, turns in its affected scorn and charges those who protest against its palpable injustice with being conspirators to rob the people through the government, by insisting on its paying more than its value for their product, and on maintaining it at that standard which the accusing combination would persistently refuse them.

Then comes along the Gradgrind statistician, who assumes to cover and include all knowledge of all things in the nebulous mass of his figures, himself confused and ambitious chiefly to confuse all others. He proceeds to shuffle his papers and state his wise conclusions. And what does he say? One of the foremost of his garrulous class begins by comparing the total of the product of the silver mining industries with the total of the iron mines product, the coal mines product, and so on. But are these products in any sense money metals, as silver is and always has been? Would they be worth even fractionally what they now are, but for the intervention of *money*, that is, of silver? And it is specially to be noted to-day, that the price of these products, thus brought up for comparison with silver, is governed very closely by the price of the great agricultural staples—wheat, cotton, pork, provisions—and that these main-

tain a level with the price of silver, and silver, too, measured in its value by its twin metal, gold.

To compare silver mining with the mining of other ores, not money ores, is merely to uncover and expose the shallowness of the one making the exhibition. Such a person, whatever he may be as a statistician, is the poorest and paltriest of economists, and confounds the offices of the two. He does not realize that silver is still money, though for the past twenty years not in the full sense in this country, and internationally less and less. He does not remember that only at the beginning of the present century, in 1816, did any nation entitled to universal respect, manifest a preference for gold over silver, the monetary use of silver up to that time being universal, and it being the standard everywhere, either alone or in mutual alliance with gold. He does not know, or else he does not care for it, that Germany demonetized gold in 1857. He sees no difference whatever between products for immediate consumption, like coal and iron and copper, and a product that endures permanently and is never consumed, like silver. He is conveniently ignorant of the supremely decisive fact that gold, by hostile legislation, equally with silver, would possess no greater *value* than silver does now in consequence of such legislation. He is oblivious of the accepted economic truth that the so-called depreciation of one of the money metals of the world simply means the corresponding appreciation of the other, interfering legislation having simply broken the automatic yoke under which they worked together, and always effectively, in the common service of the world. He mouths the subtle and silent purpose of the selfish class that seeks to rule the world through the ownership of its prosperity, and this through the control of its necessary supply of money. Consciously or unconsciously, he is the tool and servant and water-carrier for the real conspirators, who, at the head of the creditor class of every kind, themselves money lenders and the shrewdest of financiers, would double their increment by halving the world's money.

But why all this hue and cry over the mining of silver? some will ask. Why not? is our instant reply. Can there be too much

of it mined for the world's needs and for the advancement of civilization, if it is to be continued as one of the money metals of the world? And if it is not, then we are only to hope for progress for civilization without the fullest and largest use of its one and only effective agent—money. Exchange, commerce, international relations, these are the chief constituents and essentials of modern civilization. Cripple their sole effective agent, money, by the calculating diminution of its supply, and the inevitable result is atrophy and steady impoverishment and decay. The pretense that the world's exchanges, domestic and foreign, are performed by credit rather than by actual money, is to be accepted only so far as this vast and fast increasing volume of credit has a substantial foundation. Paper in all its manifold forms safely serves the office of exchange only so far as it represents money or what will readily exchange for money. Money—gold and silver—forming the foundation of credit, it will be conceded that that foundation cannot be too broad. It is money, not credit, that sustains prices. Why have prices kept steadily falling since the demonetization of silver began, if it was credit and not money that sustained them? What sustains credit, then, but money? And what diminishes and destroys credit but the degradation and diminution of money? Money, therefore, upholds prices equally with credit, or else the foundation of a house does not uphold the second story equally with the first.

Why, then, this pretended apprehension of a superabundance of silver? If any danger does exist, it is solely because of hostile legislation. Abrogate that legislation and allow the two money metals to work automatically one with the other, and there is no such thing as too much primary and real money for this country or for the world. It is the sole support of credit, upon which depends more than ninety per cent of the current exchanges. As for silver inflation, under the restoration of free coinage, there is just as much danger from it as there is from the inflation of the country's wealth. History records almost countless instances of national ruin from paper inflations, but not a single instance is to be found of a country or a state

being injured in the slightest degree by a superabundance of silver. And it is wholly safe to say that it never will.

Silver mining is not to be decried because its universally valuable product is temporarily degraded by fatally mistaken hostile legislation. A superabundance of silver is the bugbear of the uninformed, as it is the designing outcry of the crafty mind. The output of gold and silver, in the dispensation of Providence, can never be out of proportion to the world's needs; the quantitative relation of each to the other is in the long run uniform and safe.

But the present annual output of silver, we are told, is double what it was, and that tends to cheapen it. As bullion merely, a commodity only, it might; but not as money. Up to the discoveries of gold in California and Australia, the yearly product of silver was about three times that of gold; and after that, for the decade 1850–60, the gold product was four and five times that of silver; yet in spite of this complete revolution in the productive relation of the two metals, and indeed throughout all the vicissitudes, in their relative production from 1803 to 1873, the law of one nation alone, France, maintained the parity of the two metals as money, without a break or waver during the whole of that period. The British Royal commission, in order to illustrate in its report the force of law on the relation of the metals, admitted that the bimetallic system of the Latin Union "exerted a material influence upon the relative value of the two metals," and that "it kept the market price of silver approximately steady at the ratio fixed by law between them, namely, $15\frac{1}{2}$ to 1." But for the sixty-two years previous to the foundation of the Latin Union, France alone maintained the same ratio and the parity of the two metals. And France, with a population of 36,000,000, and a territory not equal to that of Texas, has in circulation $600,000,000 of silver with $850,000,000 of gold, while we have but $200,000,000 of silver to over $600,000,000 of gold.

But the fear is expressed that the free and unlimited coinage of silver equally with gold will drive gold out of the country, let us down as a nation to a silver basis, and, in the words of the

president, place us where "we could no longer claim a place among nations of the first class." Two things are very true: Gold is of no use to us unless it serves as circulating money, and it cannot leave the country unless we get its equivalent in return. If our gold is drawn away from us, it certainly will be in circulation in the countries where it goes. Those would, of course, be the countries in which our surplus products are sold. Hence it would only help make money plentiful in those countries, and consequently put up prices. Here it is locked up, held in a sort of superstitious idolatry, and only keeps down prices for our wheat and cotton producers to pay their taxes and debts with.

We need have no fear of coming short of our distributive share of the world's money; that will be determined by our international trade. If we do not have enough to maintain prices at home at the level of the world's prices, then gold will flow in to restore the equilibrium. The laws of distribution are so much more natural than artificial or economic that we can rely on their automatic operation to balance all temporary inequalities and establish a general equilibrium. The stock of gold held in the country cannot be driven out except by forcing into circulation either silver or paper equal to the entire volume of gold in circulation. But it is at no time to be forgotten that the country meanwhile is growing in population and wealth, and an increase in the volume of money is to be maintained to correspond.

THE DEBTOR CLASS.

The debtor class is openly charged with a dishonest desire to escape the full weight of its obligations, in demanding the full service of silver equally with gold as a money metal. Then it is manifestly dishonest to seek to keep money at its steadiest possible value. And in order to be a universally accepted measure of all values, ought not money above all things to possess as nearly a stable and unwavering value itself? Will any honest creditor maintain that it is an injustice to himself that money as a measure of value is made as steady and staple as possible? Is he not dishonest rather if he insists on its being wavering and uncertain, himself calculating on being its manipulator? Should we

esteem the grocer strictly honest who advocated a changeable bushel measure, or the dealer in dry goods who demanded a varying yard measure, or the market man who wanted only fourteen or twelve ounces to weigh a full pound?

If it is indeed a wrong motive that can be alleged against debtors in this matter, why not inquire what is the real motive of the accusing creditor class in its persistent and united purpose to contract the circulation by the disuse of silver? Unless there is no motive whatever in it, which is indescribably absurd, there can be but one, one only, in a measure so absolute and thoroughly resolved: it is to increase the purchasing power of money; then, plainly enough, those who can control the money in circulation will inevitably enrich themselves at the expense of the rest. It is always the dealers in money, heading a procession of creditors and annuitants with whom their influence is supreme, who scheme to bring about a shrinkage in the money volume. They very well understand what it means for themselves, whereas the masses of the people, among whom are of course included the debtor class, are wholly ignorant, or have been so until now, of its fatally costly effect.

A shrinkage in the money volume is inevitably an increase in the value of the money unit. A dollar is worth more in the ratio of the number of dollars in circulation: the less the total number out, the greater the purchasing power of each one, the fewer out, the easier the control of the entire volume. This none understand better than the great money dealers of the world. It is the axis on which the world of their achieved or coveted wealth turns. The masses do not know it, or if they know it do not realize it. They are the industrial producers of the world's needed commodities, not dealers in that which measures the value of those commodities. Their attention is upon other matters. Nevertheless, they are the ones whom the dealers in money deliberately despoil, confiscating the fruits of their industry that their own vaults may be filled and their coffers overflow.

But the debtor class, termed dishonest, charged with conspiracy to defraud, stigmatized as the enemies of "honest money,"

called fools and insane, and loaded with a variety of opprobrious epithets—who are they that constitute it? What is their general character in the great community? How are they concerned in the common prosperity? In what relation do they stand to the innumerable enterprises that signalize the rapid development of the country in all that contributes to the national wealth? It is much too vital an inquiry to be slurred over with the explosion of a prejudice that has its root in greed. The class thus invidiously termed the debtor class, it should be plainly understood, is made up of the great majority of the community that are not either wage earners or money lenders, possessors of incomes, and annuitants. In this same stigmatized class are to be found the larger number of the men who constitute the constructive energy of the country; the men who conceive plans for improvement of every kind, whose lives are devoted to the development of the common resources; the men of real enterprise and life, and without whom as an element of progress all movement would be but sluggish and slow; men who, if borrowers of capital, as is wholly legitimate, are by that very means the most active and successful contributors to the wealth of the great community. They have rightly been named the dynamic force of our entire population. Alert, restless, outlooking, active, ever moving, energetic, courageous, they are the force that maintains the common life in healthy action.

These are the men who make up the debtor class that is habitually slurred by the money lending power as desirous of paying honest indebtedness in less amounts than they borrowed. The malignity of the insinuation is paralleled only by its meanness. Which class, in the eye of reason, in view of this monetary law, is the one more likely to desire to defraud or take advantage of the other—the creditor class, that would calculatingly increase the value of each dollar fifty per cent, or the debtor—and the vastly more numerous—class, that by free and equal coinage of silver would bring both metals to a common parity of one hundred cents for every dollar. No intimation is made by the bold and blustering accusers of the latter of the existence of the slightest cupidity of their own, that would increase the value of the

money unit for them, enabling them to obtain more of the products of industry than before for a dollar. The debtor class, on the other hand, the producing class, the wage-earning class, the overwhelming majority of the people, in fact, neither demand nor expect that, with the free and equal coinage of gold and silver, silver payments will not be honest hundred-cent payments for a dollar, which they most certainly will be if the two money metals are left as before to maintain a mutual relation automatically.

THE SILVER DOLLAR.

From the establishment of the government to February 12, 1873, the silver dollar was the standard coin. It contained during that entire period 371¼ grains of pure silver, and it contains precisely the same quantity now. A standard gold dollar coin has no existence; as a curiosity, token, or charm, comparatively few people have seen or handled one. The gold dollar standard coin is an illusion. Considered as a coin, just as a silver dollar is considered, a gold dollar possesses no value nor desirability for any of the uses to which money is put. Simply as a coin, it has been most pertinently said of it that gold should and does begin where silver should and does leave off. The largest of silver coins—the silver dollar—is the standard of values; all gold coins are but multiples of the silver dollar standard. A few gold dollars were minted after 1850.

Since 1885 wheat, cotton, and the most of the great staples have been continuously falling in gold price. How as to the gold price of silver bullion? Before 1875 silver ruled steadily at about 60 pence sterling per ounce. Quotations have dropped below 43 pence sterling per ounce. What is the reason for it? The fall in the prices of seventeen leading articles of commerce in the London market for the decade 1875–1885 was about 27 per cent., while the fall in the gold price of silver bullion has been about 28 per cent since 1875, conclusively showing that the value of gold increased during the years specified, since it took more commodities to satisfy its rising value; while an ounce of silver bullion has as great purchasing power as it had before 1875, even in 1845, in procuring the necessaries of life. Now if

the measuring, or the purchasing, power of silver as bullion has, as thus shown, undergone no change relatively to the average value of the staple commodities that are bought and sold, the price of labor included, is it not perfectly clear that silver is the better standard, because the more natural by long custom, and that all other things should be measured or valued by it? Least of all, does it any more readily reconcile us to the transfer of our own money standard and unit to that of Great Britain, in obedience to the command of the money magnates of that money-lending country?

The old silver dollar is in fact the only dollar we know or are likely to know. As for a gold standard dollar, it is a creation of the imagination. It has no circulation among us. It is wholly a theoretic standard, conceived by cunning financiers, and is in no sense a practical one. Above all, it is absurdly ridiculous for the advocates of the minimized mintdrop gold dollar, the size of a generous shirtbosom stud, to rail at the size of the silver dollar as that of a "stovelid" or a "cartwheel."

The avowed hostility to the free coinage of silver rests on such vague and contradictory grounds that it is really difficult to describe and locate them. The first effect of free coinage is to be that the government will have to pay the silver miner a full dollar for seventy cents or less worth of silver, and that will make a seventy-cent silver dollar the basis of our currency. If, however, the first assertion be true, the second cannot be, and *vice versâ*. The silver miner, any one ought to know, cannot get a dollar for seventy cents' worth of silver, except by raising his proffered silver bullion to par, that is, to $1.29 and a fraction per ounce; and when he does that the dollar is also at par, and the seventy-cent dollar has no existence outside of a monometallist's distempered imagination.

Then, again, the United States is to become the dumping ground for the cheap silver of the world; and at the same time gold is to rise to a premium (it is there already), and go out of circulation (it has no circulation now), and we shall be put on a silver basis, with a limited and depreciated currency. These scarecrow statements expose the raggedness of their contra-

diction: currency inflation and currency contraction both at once, a depreciated dollar and a diminishing volume of currency—financial impossibilities, and a plain renunciation of the well-known principles of economy. For if the volume of money is diminished, how can the dollar, whatever it is, be depreciated? And how is the volume of money to be diminished if the uncounted hoards of foreign silver are all ready to be "dumped" upon us from the moment our mints are freely open? It is untrue that a contraction of our money volume can be caused by free coinage; if anything, it will be just the contrary. And if no such foreign hoards of silver exist as we are thus threatened with, then gold is certainly not to be driven out of circulation, and the apprehension of a contraction of the money volume fails again.

Will this tidal wave of silver overwhelm us from the direction of India? A hundred millions of silver are drawn every year from India by England, or two thousand millions in the twenty years from 1858 to 1878. However this large amount may be applied, it is certain that India is all the time being impoverished. A country in the prolonged throes of bankruptcy is the last one to be likely to pour its only money over us when it notoriously cannot scrape enough together for its own use. Outside of the United States—says the director of the mint—the total amount of silver in the world is $3,338,500,000, and much more than one half of this is in India, China, Japan, and the Straits; and there it will stay as fast as if it were buried. Europe has $1,482,400,000 of silver, or four dollars per capita for that continent, of which France holds nearly one half. The question raised by the gold advocates for a terrorizing purpose is, How much of this amount is likely to come here? Any intelligent examination of the case will show that from no country in Europe can a considerable export of silver be expected; certainly not from France, nor from Italy, nor from Russia, nor from Austria, nor from Spain.

The coinage rates in Europe range from somewhat less than 14 to 1 to 15½ to 1; consequently, in converting European silver into American silver, the rate of the latter being 16 to 1, there

would be a loss to the different European states of from 3 to 12 per cent. Assuming that under the operation of free coinage the American silver dollar remains at par, this would imply a loss of $33,000,000 upon the full legal tender coin alone, and a still greater loss in case the American dollar fails to maintain its par value. Thus the loss by exchange, in other words, the "dumping" process, as is perfectly apparent, would supply all the protection needed against any danger of our being flooded or buried under with silver from Europe. Our obvious and certain commercial gain in the silver using countries of South America, Mexico, and the populous world of the East is deserving of consideration by itself.

Let it only be understood, as a matter of universal necessity rather than of any organized purpose, that this silver discussion is not to be finally closed, nor the question finally settled, by any of the mean and unsatisfying shifts, the purposeless and ill-digested legislation, and the unpatriotic sacrifice of national self-respect which anything less than bimetallism implies; it must be only by the steady, firm, natural resting on recognized principle, on ascertained law, on broad national experience. Not financial street slang, bankers' whispered passwords, money-lenders' winking phrases, but plain, worn maxims, the condensation of economic experience alone can furnish the foundation for any settlement that will uphold a fabric of national dimensions, expressive of national life, progress, prosperity, and power.

GEORGE CANNING HILL.

THE GROWTH OF POLITICAL INDEPENDENCE.

BY JOHN J. O'NEILL.

PERHAPS the most pleasing sign of the times, from a political standpoint, and that which augurs most well for the future prosperity and happiness of the country, is the growth of independence in thought and action among our citizens on questions affecting the public interest or the fitness of candidates for public place. The time has gone by when the fact that a man was the nominee for office of a certain political party insured his election, regardless of his merit or capability. A candidate now must have a stronger claim on the suffrages of the people than his connection with this or that political organization.

The cause of this growth of political freedom lies in the increasing liberality of thought which characterizes the people of this generation the world over, in our own country in particular, and which is brought to bear on social and religious questions alike. The people realize the fact that a political party is but an association of persons actuated by the same motives and governed by the same principles, banded together for the furthering and carrying out of those motives and principles. The old idea that a man, no longer believing in the principles of a party nor supporting its doctrines, could conscientiously continue to uphold that party merely because it was the party with which he had always been identified and he therefore believed it his duty to support it blindly and without question and to cast his ballot for its candidates without regard to their character or fitness for public office. This idea is speedily passing away, and in its stead is coming the higher, nobler belief that the very essence of a political organization is to be found in the principles which actuate it and that when a citizen can no longer scrupulously uphold those principles he and his

party have come to "the parting of the ways," and it is time for him to seek more congenial political associates.

Among no class of voters is this feeling so marked as in the ranks of the younger element. The reason is not hard to find. The young man, just past his majority, enters into the consideration of public affairs with the honest, unselfish purpose of voting and acting as he believes for the best interests of the country. He has not as yet become imbued with the idea that he is the bond slave of his party, and if that party abuse the trust which he has reposed in it, by advocating improper measures or supporting unworthy candidates, he is quick to exhibit his disapproval at the ballot box.

The press, too, has felt the effects of this increase of independence among the voters. The newspapers which meet with the greatest measure of success nowadays are not the old-time organs which are merely the mouthpieces of the leaders of the party whose principles they support. The intelligent voter has no time to spend in the perusal of the editorial columns of a journal whose views on public questions are dictated by political bosses. He knows beforehand the nature and extent of their comments on public men and things and realizes that those comments are governed not by a true patriotism and devotion to the best interests of the people, but by partisan hate and prejudice.

The independent voter is not to be confounded with the adventurer who trims his sails to meet the fickle winds of political fortune. The man who leaves his party because of an honest disagreement with its policy or disapproval of the conduct of its leaders, is deserving of the greatest measure of praise. But the political trimmers who, as rats leave a sinking ship, desert a party only when its prosperity is on the decline and who wax fat on the good things which are the reward of their perfidy, deserve only the contempt of honest men, and though feared, perhaps, are not trusted even by the political leaders who make use of them.

In these few observations on the growth of independence of political thought and action, it is not my purpose to decry the benefits which may accrue to the people from political organiza-

tion, which when properly guided and carried only to that extent which insures effective effort, may become a mighty engine of good. But when organization becomes a mere cloak for one-man rule or the tyranny of a clique it is time to call a halt and to show the leaders that while the members of a party may be thoroughly amenable to such discipline as is necessary to the continuance in existence and the success of their organization they have not entirely resigned the right to think and act for themselves on public questions and that any encroachments on their rights and liberties in this regard will be resented and punished.

JOHN J. O'NEILL.

AMONG THE BOOKS.

The Railway Problem. By A. B. Stickney. Cloth, 12mo, pp. 249. St. Paul: D. D. Merrill & Co.

But few questions have been more thoroughly discussed the past five years than the railroads in their relation to the public interest. The author of this work began his business career as an attorney in Wisconsin in 1861, and ten years later became interested in the construction and operation of railroads, and is still manager of a road. His judgment may therefore be considered as more or less biased, though he says that he is not conscious of any desire except to state fairly and fully the material facts in the controversy as he understands them.

He admits that his sense of justice has been outraged at the arbitrary and selfish action of railway constructors and managers as well as by what he calls the time-serving policy of legislators both state and national. He thinks that the railways have asked too much of the people and, on the other hand, that the people have often expected too much of the railways.

The history of railroad building in Wisconsin is given in considerable detail, and its reckless speculative character fully described. It was during this time that the railway autocrat was in the zenith of his power. He demanded county and town bonds to help build roads. A paid lobby attended every legislative session, while judges of all grades, from supreme justices to justices of the peace, executive officers of the state, members of

the legislature, and "pot-house" politicians all had free passes.

Mr. Stickney might have added that this part of the railway managers' program remains practically unchanged, and in most states the same condition exists to-day. Another power used to compel towns to accede to their terms in earlier days was the discrimination in freight rates, and many men who could neither be threatened nor bribed into support of measures favorable to the railways were forced into line by being discriminated against in freight charges. Fortunately, this power has been largely destroyed. Before its overthrow merchants were wont to send baskets of champagne to the heads of traffic departments and sealskin jackets to their wives, because special rates were given to favorites. Now, as Mr. Stickney observes, the sealskin jacket business has been reversed and they are supplied from the treasuries of the railway companies to the wives of clerks in mercantile houses, whose husbands happen to be in possession of the authority of routing freight.

The chapter, "Effects of Discrimination," clearly shows the great influence of railroads, uncontrolled by state or national authority, to make or destroy not only individuals but towns and communities.

The author is particularly interesting in his discussion of "Fairness of Legal Rates." He declares that it is not granger laws, nor the interstate laws, nor the acts of commissions that have reduced profits to a zero point, but the mismanagement of the companies. Managers surround themselves with a standing army of freight and passenger agents, soliciting agents, advertising agents, traveling agents, typewriters, clerks and runners. They occupy the most expensive offices on the best corners of the most important streets. These offices are all finely furnished, while theater tickets, carriages and other extras are supplied without stint. These standing armies, like all such bodies, are consumers, but not producers. "All of them in twenty years," he says, "have not produced a ton of freight. Their whole business is to get the freight that others have produced 'routed' over their line honestly if they can, but get it." This argument will appeal with great force to the observing man who cannot have failed to note the enormous expense incurred by the leading railways of the country, in the manner so aptly described by Mr. Stickney.

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THE POLITICAL REUNION OF THE UNITED STATES AND CANADA.

BY AN EX-MEMBER OF THE CANADIAN PARLIAMENT.

CONTINENTAL union, or the political reunion of the United States and Canada, is the most comprehensive and important question before the American people. The political reunion of the two great English-speaking communities who now occupy and control this continent, to quote Prof. Goldwin Smith, "would exclude war from North America and dedicate the whole continent securely to peaceful industry and progress. It would remove all internal customs, lines, and impediments to trade. It would make the St. Lawrence, the fisheries, the sealing grounds, and all privileges which are now the subject of perpetual dispute, the undisputed heritage of all."

Professor Smith's conclusions cannot be successfully disputed, and, therefore, the subject merits the earnest, thoughtful, and serious consideration of all those who create, control, and direct public opinion in this country. It should be discussed in a broad, liberal, kindly spirit upon both sides of the boundary line. The reunion of these two great communities is not desirable unless consummated, as the matured judgment of a large majority of all concerned, upon terms generous, just, and honorable to both of the contracting parties. It can only be accomplished peacefully after full, free, public discussion in the press and upon the public platform in both countries. The advocates of political reunion have nothing to fear from public discussion.

They can well afford to create it and abide by the result. The advantages of reunion are so great to both communities, from a financial, commercial, industrial, and political standpoint, that to arouse discussion and investigation in a generous and kindly spirit, is to assure its peaceful consummation.

The proper attitude for the people of the United States to assume was admirably expressed in a very few words by Prof. Smith, when requested to prepare a resolution for adoption by the National Convention, held at Minneapolis in 1892, and was as follows: "Let Canada cast in her lot with her own continent and she shall have all that the continent can give her. We will respect her freedom of action and welcome her, when she desires it, into an equal and honorable union."

Canadians (and they are many) who earnestly desire to see political reunion peacefully consummated, and are quite willing and ready to make great personal sacrifices to promote and secure it, need and deserve a public declaration of assurance in unmistakable terms from a large non-partisan organized body of American citizens, fairly representative of public opinion in this country, that when they have educated and prepared a majority of the Canadian people to desire and seek reunion, Canada will be cordially received upon terms just and generous into "an equal and honorable union." They seek this moral support from the people of this country, and they should not seek it in vain. They cannot fairly be asked or expected to enter upon and sustain a campaign of education upon this subject without this assurance. If the advantages to flow from reunion were simply of a financial or commercial character, and this country were to reap all the benefits, there might be good reasons for the sentiment frequently expressed by Americans, that all advances should come from the Canadians, and that our position should be one of supreme indifference. The benefits are mutual and far transcend, in importance, financial or commercial gain.

The political reunion of the United States and Canada will remove forever the causes most likely to involve this country in a serious conflict with Great Britain and make it possible to create and establish a moral union between America and the

Mother land, which cannot be attained under present conditions.

This alone is of far greater importance to the several branches of the English-speaking race throughout the world than all the financial and commercial advantages to flow from it to the people of North America. The influence for good of a moral union between reunited North America and Great Britain, upon the promotion, extension, and preservation of government by the people cannot be overestimated. Such a union would powerfully influence the settlement of all international disputes by peaceful arbitration rather than by the sword, and tend to cause the disbandment of the great armies of Europe, which are a constant menace to its peace and a heavy and unjust burden to its toiling millions, as well as a perpetual disturbing factor in the financial, commercial, industrial, and political affairs of the whole world. If the peace of Europe were assured, financial, commercial, and industrial values would rest upon a more stable foundation. The influence of the political reunion of these two English communities upon the preservation of peace in North and South America deserves consideration. Our commercial interests alone in South America are already very great and are rapidly increasing, and with the completion of the Nicaragua Canal they will be largely further augmented.

Continental union was proposed to the people of Quebec by the Continental Congress in session in Philadelphia upon October 26, 1774, and again in May, 1775. It was advocated by Washington, Franklin, Hamilton, Samuel Adams, Jefferson, Madison, Jay, Livingston, John Adams, and Gouverneur Morris. The failure to secure its consummation at that time was largely due to the publication of an ultra Protestant attack upon the Roman Catholics of Lower Canada.

It might have been effected in 1837 but for the cold indifference of the American people, which enabled the imperial government to easily crush the annexation movement then active in Canada, and drive its chief promoters, William Lyon McKenzie and John Rolph, into exile. And still again in 1849, when such prominent political leaders as the late Sir George Cartier

and Sir Alexander T. Galt; Sir Leonard Tilley, the present Governor of New Brunswick; Sir John J. C. Abbott, ex-premier of the Dominion; and Sir David McPherson, a senator of Canada, signed the Montreal annexation manifesto, but for the determined opposition of the leaders of the pro-slavery party in this country, who feared the effect of the admission of several new free states into the Union, and to prevent which, they secured, through President Pierce, the Reciprocity Treaty of 1854, which gave to Canada the financial and commercial advantages of political union without separation from Great Britain. Our Civil War, and its attendant burdens, allayed the desire of the Canadian people for a time for political reunion, but soon after 1875, when we had re-established our financial credit upon a firm basis and demonstrated our ability and willingness to discharge all of our obligations, the latent desire for reunion was revived and has been steadily increasing ever since, and now exists upon a broader basis and upon stronger convictions as to its beneficent results than ever before.

Seward, Sumner, and Blaine, a trio of clear and far-sighted statesmen, all strongly favored continental union, upon the basis under discussion. Mr. Seward purchased Alaska chiefly for its influence in promoting political union with Canada.

The Hon. Simeon E. Baldwin, of Connecticut, in his "Historic Policy of the United States as to Annexation," predicts "that the North American Continent, with every island on the east and the Hawaiian group upon the west, all bound to it as satellites to their planet, will, if we continue our present policy as to annexation, come under the American flag."

Mr. Andrew Carnegie, in his "A Look Ahead," sees in continental union not only a most desirable moral union between all powerful reunited North America and the Mother land securing beneficent results to humanity, but a possible political reunion of the several branches of the Anglo Saxon race.

The Hon. Carl Schurz, while objecting to the annexation of Hawaii, favors political union with Canada.

The Hon. John Sherman, the nestor of the United States Senate, has expressed the opinion that continental union is the

most important question before the American people demanding solution at the present time.

The Hon. Anthony Higgins, in a brilliant address delivered in Detroit upon the 22d day of February last (Washington's birthday), declared continental union to be "our manifest destiny," and supported his declaration with many cogent reasons.

The Hon. Honore Mercer, ex-premier of the province of Quebec, the most adroit and skillful political leader, with a stronger personal following than any of his cotemporaries, is organizing in that province the Independence party, as the first practical step toward continental union.

The Hon. Charles A. Dana, the cleverest editor upon the American press, a clear and far-sighted political leader, always an American when American interests are involved, has for some years past made an aggressive, determined, and persistent demand for continental union, asserting that no event likely to happen will accomplish so much to preserve the peace of the world, establish cordial relations between all the branches of the Anglo-Saxon race, promote, extend, and perpetuate self-government, and add so largely to the influence, prestige, and power of North America.

Enough has been written to justify the creation of a non-partisan organization in this country, for the avowed purpose of securing continental union by all peaceful, lawful, and honorable means.

A solid Canadian vote has been suggested in some quarters as an objection to political reunion. The late Secretary Seward, as long ago as 1867, completely disposed of that objection by showing that the interests of the English-speaking maratime provinces would always be with our Atlantic States, that those of the great central Protestant province of Ontario would be with New York, Ohio, and Michigan, while the interests of British Columbia would be with our Pacific States, and that of any provinces or states organized between Ontario and the Rocky Mountains would be with our Northwestern States. Mr. Seward's conclusions are as valid to-day as when he first published them.

The great French Roman Catholic province of Quebec, the

second in population and wealth in the Dominion, which controls the mouth of the St. Lawrence, the key which holds the Confederacy together, which separates the English Protestant maratime provinces from Ontario, and whose best and nearest market will always be in our New England States, and whose children to the number of five hundred thousand have settled there, will never unite with the other Canadian provinces to create a solid Canadian vote, when she becomes a sovereign state in the American Union. At the present time, there are seven provinces in the Canadian Confederation, each one having a local legislature. As states in the Union they would be entitled to only fourteen senators and twenty-five members of the House of Representatives. No danger could, therefore, come to the Republic from a solid Canadian vote, even if it were possible to organize it.

Another objection sometimes raised to continental union, is the incorporation into the Republic of the French Roman Catholic province of Quebec. This objection is not founded upon knowledge, but upon prejudice. The Canadian French Romanists are a kindly, home and kindred loving, domestic, peaceful, law-abiding, moral people. Life and property are as secure in Quebec as in any state in the Republic, and far more so than in many of them.

The French Catholics have a very large majority in Montreal, and yet for the past thirty years the mayors of that city have been chiefly chosen from the English-speaking race. We have five hundred thousand French Canadians in the Eastern States who are quite as law-abiding as the average of the citizens of New England. They are naturally republican and will readily harmonize with our institutions.

There is not anywhere in the world two and one half millions of people in a body the equal of the inhabitants of Ontario in all respects, and so free from objectionable and disturbing elements. They are as thoroughly versed in the art of self-government, and as industrious, ambitious, energetic, enterprising, progressive, moral, law-abiding, peaceful, and wisely conservative as our best and most favored communities.

Imperial federation as a desirable and practical solution of the future relation of Canada to the United States and the British Empire, has no substantial support in the Dominion. Its advocates are over-zealous loyalists and impractical political dreamers. A federation of the several branches of the Anglo-Saxon race with the United States left out, is not worth a moment's consideration, and if attempted to prolong Britain's control upon the continent, will sooner or later lead to a war for the complete supremacy of the republic in North America. It would certainly create and develop a spirit of antagonism between the United States and the Federated Empire, which would increase rather than remove the causes which tend to produce a conflict between the two chief branches of the Anglo-Saxon race. Practically it is a dead political issue in Canada.

Unrestricted reciprocity and commercial union as a settlement of our relations with Canada, as proposed by the leaders of the oft defeated Liberal party, are "unsubstantial dreams" while Canada remains a British dependency. Great Britain will never consent, while she is responsible to the world for Canada, to the free admission into Canada of the product of our manufactories while that of hers is subject to a high customs duty. Nor will a majority of the Canadian electorate ever consent to a treaty which opens their market free to our manufactories, which can be abrogated at any time after ten years. Nor will the government of the United States enter into a treaty of that character which would be experimental as to its results and might become very embarrassing in dealing with other nations, which cannot be terminated at pleasure after a limited period.

Independence will add to the per capita cost of government and defense without enlarging the market for the surplus products of Canada or without lessening the exodus of her people or increasing her ability to divert immigration to her shores. As population must precede development and development an increase in the value of fixed investments, independence will not afford Canada any relief from the difficulties which surround her at the present time, or allay the spirit of unrest which prevails from Cape Briton to Vancouver, or remove the impression

that exists in the minds of her people that a radical political change is impending. Independence can only be practically considered as a step toward continental union. It is a preliminary step only toward reaching a finality. Only *status quo* or a continuance of British connection under present conditions remains to be considered.

The Hon. Edward Blake, the late leader of the Liberal party, now a member of the Imperial Parliament, who retired from public life in Canada rather than approve of unrestricted reciprocity or commercial union, in his farewell address to his constituents, described the present policy of Canada as "tending toward disintegration and annexation." Mr. Erastus Wiman, a most sincere and ardent defender and advocate of his native land, describes the present policy of Canada as "one of retardation, of slow development, of declining values, of an exodus of population, of increasing indebtedness, and decreased power of payment." Clearly then continental union is the only practical policy under discussion which will secure the rapid development of the boundless natural resources of Canada and forever settle her relation to her great neighbor to the south of her and to the outside world.

Mr. Wiman in a letter published in *Truth*, in March, 1891, wrote as follows: "The two nationalities set out side by side one hundred and twenty years ago on the race for continental supremacy. The United States had an untried form of government, had no capital, no backing, and no previous experience, working out on a vast scale a plan of self-government, and an experiment in finance and development. Canada had behind her Great Britain, stable institutions, enormous supplies of money, and everything to make her great. Yet to-day the two countries are widely different in the results achieved. One has a population of sixty-four millions; the other a population of barely five millions. Measured by every standard of comparison, the experiment in Canada of self-reliance and self-development is a failure." Is not one hundred and twenty years quite long enough to continue a policy of "retardation and slow development, of increasing indebtedness and decreasing power of payment"?

Mr. Wiman in the same letter declares that: "If the Declaration of Independence had taken in the whole continent, the same relative progress would have taken place north of the forty-fifth parallel—the lakes and the St. Lawrence—that has taken place to the south of them, and the world would have been enriched to double the extent of the contributions from the United States." Few well-informed and unprejudiced Canadians will question Mr. Wiman's statement. Why then any longer delay the consummation of political reunion?

Nearly one million native-born Canadians (one fourth in number of all living Canadians in the world) have left their native land and become residents of the United States. It is an astonishing fact that Canada, settled by Anglo-Saxons, with an area of more than three million square miles in a most healthful and invigorating climate, with a population of less than five millions, with boundless undeveloped wealth in her unoccupied agricultural and mineral lands, forests, and fisheries, an educational system unsurpassed in any country, a free press, a free church, enjoying all but in name republican institutions and local self-government, should fail in every effort made to attract or retain immigration, and that so great a percentage of her native-born sons and daughters should desert her.

Her government has expended some millions of dollars in maintaining for many years a system of immigration agencies throughout Great Britain and upon the continent of Europe, and in paying ocean passages, with very meagre results. The fact that for some time past a special effort has been made to induce Scotch Crofters, Icelanders, and Russian Mennonites to settle upon lands in the northwest territories with poor success clearly indicates that the attempt to secure a better class of settlers has proved a failure.

In 1870 the population of the United States was ten and one half times that of Canada. In 1890 thirteen times greater, with a strong probability that at the close of the century it will be fifteen and one half times greater. The United States, therefore, will continue to attract the most ambitious, enterprising, and skillful in all the walks of life. The rewards of skill and labor

will always be greater here than in Canada if present political conditions there continue. We shall constantly draw from her the class she most needs, viz. : her most skillful workers, her best thinkers, and her most successful and intelligent organizers and managers. Her loss in this respect will increase rather than diminish. Our end of the whiffletree is now more than thirteen times longer than hers, and the leverage in our favor will steadily and constantly increase so long as Canadians insist upon preserving their monarchical institutions.

Personal observation for the past forty years justifies the statement that the Canadian people are steadily becoming less English and more American in their tastes, habits, customs, sentiment, spirit, aspirations, institutions, and legislation. Although a British dependency, Canada adopted the American policy of protection to home industries, and even her judicial system is being steadily assimilated to ours. In organizing the confederation, the federal system, with local legislatures in the several provinces, was adopted against the determined opposition of the Imperial party. All her railways at great cost abandoned the English wide gauge and adopted the standard American gauge. She abolished a state church, adopted the secret ballot, representation according to population, a written Constitution, state education, a decimal currency in place of the sterling, the net ton, and our municipal system. Her people are as tenacious of their right to direct and control their own local affairs through their municipal councils as our own. If Canada should become an independent state she would certainly adopt a republican form of government modeled after that of the United States.

The gain to the people of Canada from political reunion can hardly be overestimated. They will share in all the advantages of our enormous and rapidly expanding home market for their surplus products and in the benefits to be derived from the great variety of our natural productions, and also share equally in all the advantages of the commercial treaties which we, as a great consuming nation, may negotiate with other powers. (As an appendage of the British Crown, they do not have the same opportunities.) The value of their fisheries will be immensely aug-

mented, their vast mineral resources developed, their arable lands occupied and cultivated, their numerous water powers improved, their waterways enlarged, their railway mileage extended, their shipping share upon equal terms in our coasting trade upon the sea and lakes, the exodus of their most ambitious and energetic sons and daughters suspended, and their population rapidly and largely multiplied, the market and productive value of all their fixed investments increased, the dread of impending political reorganization removed, a firm foundation reached upon which to securely establish their financial, commercial, industrial, educational, and political institutions, and the absolute control of their own local affairs permanently assured. Continental union will deliver the Canadian people from bondage to the Canadian Pacific Railway Company, which controls and operates one half of the railway mileage of the Dominion, although first chartered in 1881. The late Sir John A. MacDonald, as premier of Canada and leader of the Tory party, induced Parliament to create this gigantic monopoly and grant it enormous special powers and privileges for the purpose, largely, of maintaining his supremacy. The railway company exercises its power and influence and contributes liberally to election funds to sustain the party which created it, and in return the parliamentary majority grants it additional favors and privileges to aid in maintaining its monopoly. Neither could exist under present conditions without the other, therefore, the Canadian Pacific Railway Company actively opposes continental union.

The settlement of our rights in the Behring Sea would be of far greater value if the Canadian people had a common interest with us in the preservation of the seal fisheries. There has been scarcely a single question of dispute between the government of Great Britain and that of the United States which has not grown out of, or been complicated by, Britain's proprietary interest in the northern portion of this continent. It has also doubtless been the promoting cause of much of her unfriendly treatment of our interests in the past.

The Canadian people anticipate that the present national administration will consent to a práctical renewal of the reciprocity

treaty of 1854, which gave them free access to this market for their surplus natural products, of which we produce a surplus in excess of the home demand and are compelled to export, without permitting the admission into their limited market of the product of our manufactories, except upon payment of a high customs duty. They have never contributed one dollar to create, maintain, or defend our market—and will not so long as Canada remains a British colony. Why then should we grant them valuable commercial privileges which we would not grant to England, France, or Germany?

Mr. Seward, as secretary of state in Mr. Lincoln's cabinet, gave notice of the abrogation of the treaty of 1854 in 1864, and declined to consider a renewal. President Grant declined, at the request of the Hon. George Brown, Special Commissioner from Canada to the United States, to urge upon Congress a treaty of reciprocity upon terms more favorable to the United States than that of 1854, because it would delay a final settlement of our relations to Canada, and of hers to Great Britain. Mr. Brown expended a large sum of money in this country to create a public sentiment favorable to a renewal of reciprocity, but without avail.

Mr. Blaine, as secretary of state, declined even to consider a commercial treaty with Canada which did not include the admission into Canada, free of duty, of a large line of our manufactured products. Negotiations were first begun by England for the free admission of the surplus natural products of Canada into our market in 1816. All advances were repelled until the slave power in 1854 forced the treaty of 1854 upon Congress, and President Pierce to allay the desire of the Canadian people for annexation, and thus prevent the admission of several more free states into the Union. It may be confidently asserted, that no treaty with Great Britain, for the free admission of the natural products of her Canadian provinces into this country, would ever have been seriously considered by the government of the United States had it not been for the influence of the pro slavery party.

Continental union involves a final settlement of all questions

relating to the fisheries in the Atlantic and Pacific, in the best interest of all parties specially concerned. It assures the development of the St. Lawrence as an outlet and inlet to and from tidewater, for the rapidly expanding commerce of the interior of the continent. It will remove all necessity for ever fortifying our northern frontier; it will lessen the per capita cost of government and defense; it will remove the chief obstacle in regulating and controlling our trans-continental railway traffic, by bringing the Canadian railways under the interstate commerce law. Our present legislation and customs regulations for the shipment of merchandise in bond, in transit from one part of the United States to another through Canada, work great injustice to our own great trans-continental lines and open a wide door for fraud upon the customs revenue. It will remove a serious difficulty in controlling and preventing Chinese immigration.

It will remove forever all excuse, right, or opportunity for interference with the domestic affairs of this continent, by any foreign power. It will, to quote Prof. Smith, "call forth the vast mineral wealth of the North, now dormant, by admitting American capital and enterprise to a region which they are now prevented from freely entering by mistrust of a foreign jurisdiction." It will open to settlement, as the result of the permanent free admission to this market of the products of the soil, an immense area in a climate which tends to develop and stimulate the conservative and best elements of human character, so essential in maintaining and perpetuating self-government and free institutions.

The *Toronto Globe*, the organ of the Liberal party of Canada and the most ably edited, most influential and widely circulated journal in the Dominion, on several occasions has declared that a renewal of the reciprocity treaty of 1854 would "destroy the political reunion movement in a single night."

Sir Oliver Mowat, for the past twenty years premier of Ontario, and the most successful and clever political leader of high character ever developed in Canadian public affairs, in a published interview a short time ago gave expression to substantially the same sentiments. Mr. Erastus Wiman, the highest

Canadian authority resident in this country, with great candor and frankness upon more than a score of occasions when addressing public meetings in Canada, told his countrymen that unless they could secure a treaty of reciprocity with the United States, political reunion was inevitable, and in giving his testimony before the Committee of the United Senate upon our "trade relations with Canada," stated that with a renewal of the reciprocity treaty of 1854, political reunion would take place when a sufficient number of Americans had emigrated to Canada to create a majority of the population of that country.

It cannot be possible that the present administration will be so disloyal to American interests as to renew a treaty, or adopt a fiscal policy, which will delay or endanger the final solution of a great continental problem, of the highest importance to our future development and security from serious foreign complications.

Had political reunion been consummated when prosposed by the Continental Congress in 1774, the War of 1812 would probably have been avoided. Had it been accomplished in 1837, or 1849, we should almost certainly have escaped the Civil War of 1861, which cost us more than $8,000,000,000 in money and one million lives. The slave power would not have appealed to the sword of the several provinces of Canada, had there been free and loyal states in the Union, and Great Britain had not had a foothold upon this continent. It was the expectation of England's support that precipitated the Rebellion. Is it not sound statesmanship to anticipate all possible complications that may arise, and take such action as will prevent them and so remove the danger? Therefore, would it not be disloyal to adopt a policy which will strengthen British power upon this continent?

The strongest active opposition in Canada to continental union will come from the political leaders now in power, and from those who hope to gain power at the next general election, the members of the Dominion and provincial civil service, all of whom are appointed for life, the judiciary included, the manufacturers and wholesale merchants who have an established and profitable trade, and the Canadian Pacific Railway Company, which has

been granted enormous and valuable special powers and privileges by the government of Canada.

They all oppose it for personal reasons. There is a large body of citizens who look forward (many of them born in Great Britain) to continental union as the only practical and final solution of the future of Canada, who desire to defer action upon it in their lifetime for sentimental reasons, but who will not aggressively oppose it when presented in a kindly and generous spirit, upon terms which Canadians can honorably accept without humiliation.

If imperial federation, unrestricted reciprocity, commercial union, independence, *status quo*, and "an equal and honorable union" with the United States were presented to the people of Canada for acceptance or rejection through the ballot box, after calm and free discussion in the press and upon the public platform, a majority of the electorate would decide in favor of an "equal and honorable reunion" with their neighbors upon this continent.

If continental union is, as has been set forth, one of the most important questions before the people of the United States and Canada, and its consummation will secure beneficent results to both of the great communities involved, there is not any valid reason why the more numerous and therefore the more powerful people should not publicly declare their willingness to accept it as a final and peaceful solution of their relations with the less numerous and therefore less powerful community, nor is there any good reason why either community should not use all lawful, peaceful and honorable means to hasten its consummation.

With an assurance from a large and representative non-partisan body of American citizens of a cordial welcome into an equal and honorable union upon terms just and generous, advocates of continental union in Canada would rapidly multiply, and the two political parties, as now organized there, would be disintegrated and reorganized as advocates and opponents of a reunited North America.

It is no doubt true, however, that an organized movement in this country upon the lines suggested by Prof. Smith, no matter

in how kindly a spirit it may be conceived and expressed, will call forth from the leaders of the Monarchial party of Canada, fierce, vehement, and angry denunciations, and Canadian residents who may coöperate with such an organization will be howled down as disloyalists, but after the first Tory yell has subsided, it will be discovered that it was caused by the fatal blow, the kindly and generous invitation issued to Canadians to enter into an equal and honorable union, given the enemies in Canada of republican institutions. A general discussion of the question upon its merits will then proceed and a peaceful reunion in due time will be consummated.

If a large non-partisan organized body of American citizens, fairly representing those who create, control, and direct public opinion, should adopt and publish as an expression of public sentiment in this country a resolution similar to the following, it could not wound the feelings of the Canadian people, or justly offend them, but would certainly hasten a solution of our relations to that great Anglo-Saxon community.

Resolved, That we believe that the political reunion of the two great English-speaking communities, who now occupy and control North America, will deliver the continent from the scourge of war and dedicate it to the arts of peace, lessen the per capita cost of government and defense, insure the rapid development of its unlimited natural resources, enlarge its domestic and foreign commerce, protect and preserve its wealth, resources, privileges and opportunities, as the undisputed heritage of all, and promote, extend and perpetuate government by the people. We therefore invite the Canadian people to cast in their lot with their own continent, and assure them that they shall have all that the continent can give them. We will respect their freedom of action, and welcome them, when they desire it, into an equal and honorable union.

Since 1860, we have readjusted, at great cost, the labor system of sixteen states, which was disorganized by the abolition of slavery; paid more than $8,000,000,000, as the money cost of the Civil War, expended immense sums upon education, the arts, sciences, and organized charities; created and established upon

a firm basis an industrial system which is the wonder of the world; enlarged and diversified the field for the employment of skilled labor and increased its reward; encouraged the application of mental power in production and distribution and in the economical expenditure of human force; laid the foundation for a navy commensurate with the possibilities and needs of our rapidly growing foreign trade; developed an internal or domestic commerce far exceeding in value and tonnage that of any other nation; invested large sums in promoting the development of our vast mineral resources; created and established a national banking system which has won the confidence of our wisest and most experienced financiers; restored and raised the credit of the nation in the financial centers of the world to the highest rank; constructed the most complete and extensive telegraph and telephone systems known to man; established and developed a daily press without a rival in power and influence for good in any country; more than doubled our population; nearly quadrupled the market value and earning power of our national resources; enormously increased the ability of our people to produce the necessaries, comforts, and luxuries of life; subjected, directed, and employed the elements and forces of Nature for the service of man to a greater extent and in a larger field than any other people, and constructed and equipped at a cost of $10,000,000,000 nearly 150,000 miles of railway.

With our financial, commercial, industrial, educational, and political institutions firmly established and directed, by a higher average intelligence in the future than in the past, with greater freedom of individual thought and action, and the causes most likely to disturb the harmonious working of all the parts for the general good removed, what may we not accomplish as a nation for the welfare of the human race and the promotion of self-government?

Continental union upon equal and honorable terms gives the Canadian people an equal share in all the benefits, privileges, and opportunities which we now or hereafter may enjoy towards the creation and preservation of which they have not made any contribution. Is it unreasonable for us to insist that the only

basis upon which we will share these blessings with them is that of political reunion upon terms just, generous, and honorable to both of the contracting parties?

When pensions to our war veterans have ceased to be a tax upon the national revenue, we shall have expended more than $10,000,000,000 as the money cost of the Civil War, in addition to the sacrifice of one million productive lives.

Had we paid this vast sum in installments to the owners of the slaves for their peaceful emancipation, it would have prevented the terrible destruction of human life, the disorganization of the productive energies of the Southern States, the bitter antagonisms which have existed and will continue to exist between the white and black race there, and between the whole race at the South and North, and have given the South an immense capital for development.

Less than one tenth of one per cent of the money cost of the war expended upon a peaceful campaign of education in the United States and Canada, will secure a reunited North America, an event which, in its beneficent results to humanity, will take rank in history with the founding of the Republic by Washington and its preservation by Lincoln.

FRANCIS WAYLAND GLEN.

THE SOUTH FOR A PROTECTIVE TARIFF IN 1896.

BY GUY C. SIBLEY, OF THE MOBILE BAR.

IF THE financial panic of 1893 has served no better purpose, it may be truly regarded as a blessing, if it shall serve to awaken, throughout the country, a spirit of investigation which may determine its cause. For the first time since the war, recent events have placed the South in a condition to divide upon economic questions, and it will not be a difficult matter to enlist her sympathies and votes for a protective tariff. She is ready and willing to learn, and also to act, when she is convinced that she is right, and these events have forced her into a position where she must think more, and feel less. There are many partisan conjectures as to the cause, or causes, of our present financial troubles. It is unnecessary to enter into a lengthy argument as to which particular fact was most potent.

All unbiased minds agree that the Sherman law, England's East-Indian policy, the Australian panic, and the unfortunate failure of the Barings in 1890, consequent upon the collapse of Argentine finances, each had its effect. But no thinking man, who has studied events for the past three years, will admit that any one of these was the sole cause. Every man, of ordinary intelligence conversant with economic and political questions, be he Democrat, Republican, or Populist, will be forced to the conclusion, that each and all of these causes could not have resulted in such financial havoc, except for the fact that a Free Trade party had, by a tremendous majority, assumed control of the legislative and executive branches of the government, with the power and the avowed purpose of reducing, and eventually abolishing, the tariff laws enacted by the preceding Congress. A feeling of uncertainty has pervaded every branch of industry. No one knew how far the Democrats would carry their free trade

legislation, what they would do, or what they would not do, and the immediate tendency, on every hand, was to unsettle values on scores of staple articles whose prices had been fixed by the McKinley bill.

The South has suffered less than any other section of the country, simply because she was less dependent upon the tariff, her principal staple being cotton, which needs no protection. In the iron and coal districts however, such as Birmingham and Anniston, Ala., Middlesborough, Ky., and Big Stone Gap, Va., all business was absolutely paralyzed for a time. The sugar and rice regions of Louisiana and South Carolina, and the orange orchards of Alabama and Florida did not suffer, simply because these crops will have been disposed of before a new tariff law could go into effect, hence their prices were virtually fixed. Nearly every lumber mill in the South has been closed, and timber lands have decreased in value from 25 to 50 per cent. These are the things which have newly awakened the people of the South. They are facts brought home to them by a bitter experience. The South is fully convinced that either a protective tariff, or free trade, under stable systems would be better for the country, than a constantly recurring, radical change in values. While the South, by force of political circumstances, consequent upon the changes made by the Civil War, is ostensibly for free trade, she is naturally, and from self-interest, at the present time, ready for a protective tariff. Why is she for protection, and why is it that she is not so conversant with the true principles of protection as the North? The reasons are numerous, but the most potent are, that she has had no time to study any questions, or to experiment with any theories, except those involved in preserving her political existence, and supplying her people with the necessaries of life. The High Tariff party has been a party which has attacked her very existence, upset her labor system, and by revolutionary methods, has changed her position entirely from that occupied by the Southern States under the original Constitution.

In the midst of wrecked fortunes and a scramble for bread, maintaining the Anglo-Saxon prestige over an inferior race; a

race inferior mentally, physically, morally and fundamentally; a race naturally subservient and incapacitated for self-government, and so weak that political partisans could mold it like wax into an element of antagonism and crime; under such conditions, Southern white voters had no inclination to coöperate with the Republican party, in any manner. "Dixie" knew but little, and cared but little, for the great underlying principles of protection as a political system. What to her was "supply and demand," except as it applied to bread and meat? What cared she for the "balance of trade" when her entire labor system was in a state of anarchy? What did she know about the "governing influences of a surplus"? the relation of "raw material to manufactured goods"? protection as an incentive to invention and competition in cheapening prices? the question of higher wages and steady employment? the cupidity of free trade countries? This great question of protection advocated by Clay, Webster and Horace Greely was forgotten. The unanswerable arguments of Morrill, Blaine, and McKinley were unread and unheeded! But things have changed, and the year 1893 will mark the beginning of an epoch, as regards the South, more radical than was effected by the Civil War. In other words, she proposes to go back and take up the question of a protective tariff where she dropped it in 1856. If there be any single distinctive characteristic peculiar to Southern people, as compared with their Northern brothers, it is this: There is more of sentiment, and less of aggressive selfishness, among Southern people. It is the difference between Jacob and Esau. The North was given to brisk trading and manufactures, the South to agriculture, indolence and contemplation. The Southern Esau is beginning to understand his mistake, and in order to rectify it, he proposes to compete with the North in manufactures, under a protective system. This he can do by simply reaching forth his hand, and grasping some, if not all, of the golden fruit. If the North will make but two concessions, the South will wipe out "Mason and Dixon's" line, and stand shoulder to shoulder with her in the great fight for a protective tariff.

There is no doubt, but that the next Congress, under Mr. Cleve-

land, will repeal the federal election laws and will correct the wasteful pension legislation of Mr. Harrison's administration. If they do not modify the pension laws they will at least administer them honestly. If, after the federal election law is repealed, and the pension laws are modified, the North will assure and convince the South that they shall remain repealed and modified, it is all that we ask. The North may be perfectly honest in her advocacy of the doctrine embodied in the federal election statutes, the South is equally honest in her opposition. This opposition, on the part of the South, is based upon a knowledge of the English Constitution and of the American. They have been compared, digested, discussed, and adopted, and the Southern people are convinced, that the radical views, entertained by the Republican party, on the election laws, are unconstitutional and revolutionary. She will never change on that subject and, as the South has, at least, the advantage of precedent, the North should be willing to humor her in her honest antipathy to so subversive a doctrine, and accept her aid and her votes in establishing an economic question of far more importance, and material benefit to the whole country, viz., the protective system. With these assurances, the South will be in a frame of mind to discuss the tariff question, from a constitutional standpoint. When she is convinced of its constitutionality, self-interest will make Alabama and Georgia as strong for protection as Pennsylvania and Ohio.

There are three elements in the South which, if combined, would bring about the desired result, all of which are ripe for inoculation or already impregnated with a cure for the free-trade fever, under which they have been suffering for thirty years. In the first place the negro, as constituting the cheap labor element, is naturally for a protective tariff, because he is convinced that it will increase his wages and give him steady employment. He is also for protection, because he is a Republican, and this has always been one of the leading planks in the Republican platform. At least three-fourths of the colored vote will go to the High Tariff party. Previous to 1860 the Whig party was the dominant party in several states of the South. There are

thousands of old line Whigs who would to day, vote for McKinley as gladly and loyally as they did for Henry Clay, if they could do so without imperiling the Constitution, disorganizing the existing state governments, and giving the country up to negro rule. The third element is that class of voters who have reached the voting age since 1865. This is the largest, as it is the controlling element, in the politics of the South. But few of them remember the war, and a large number were born since. This element is almost ignorant of the great doctrine of protection. They never subscribe to newspapers or periodicals which advocate protection: they have never read anything bearing upon the question, except from a free trade standpoint. Their natural antipathy to the Republican party which, to them, is synonymous with high tariff, condemned it in their eyes, and here they are to-day political heathens, as to one of the greatest political questions of the age. Convince them that it does not antagonize the Constitution, for they are sticklers on that subject, and the High Tariff party in the South will be stronger than it was before the Civil War.

I have not the power to suddenly convert my Southern brothers, but if, in an humble way, I can point them to the right road with a few injunctions and directions as to the propriety of changing their present route, I shall be satisfied. Let them remember that their loyalty is in no way involved, and that they cannot be held up as political apostates for adopting a theory that they have never before studied or understood. Even the most bigoted sectarians refuse to condemn a heathen who has never heard the truth. Daniel Webster, one of our greatest statesmen was at one time a free trader. After studying the question from a Constitutional, National, American standpoint, he additted his mistake, and became the ablest and most aggressive protectionist. And so with thousands who will examine the question from an unbiased standpoint, and who shall have the "courage of their convictions." George Washington, who presided over the Constitutional Convention that gave us the American Constitution, was one of the first protectionists. After he became president of the United States, the second act passed

by Congress was a tariff measure, an act which laid the foundation of the American protective system. It was therein enacted that it was "*necessary* for the *encouragement* and *protection* of manufactures." George Washington signed the bill and it became a law. Is it fair to presume that the presiding officer of the Convention which framed the fundamental law and who, as president of the United States, took a solemn oath to obey and maintain that Constitution, would violate it, by attaching his signature to an unconstitutional act, that act being the second law that he was called upon to sign? Nearly every chief magistrate, in some form or other, gave to it the authority of his name. The highest courts have never at any time cast upon it the slightest suspicion as being unconstitutional. That free trader who declaims against a protective tariff as unconstitutional, therefore, shows his ignorance, either as to the Constitution, or as to the true principles of protection.

If you are satisfied on that point, then what more do you ask in order to procure your vote for protection, and to convince you that you are antagonizing the best interests of the South in clinging to your old ideas? The advantages and practical workings of the protective system, as compared with a free trade one, open up the whole question about which the greatest minds have written and the greatest statesmen have discussed since the time of Adam Smith. If you are sufficiently interested in the subject, and are willing to study it further, I can confidently refer you to the history of our own country under both systems. Upon examination, you will find that those periods of the country's greatest prosperity (irrespective of the great advantages derived from our policy of neutrality, as between foreign belligerent powers who were our rivals in trade) were during the existence and operation of protective tariffs. The first high protective tariff was in 1816. Subsequently, came the tariffs of 1824, and, in 1828, the duties were increased. Study the history of the tariff all the way down to the present time, and then study the panics, 1819, 1837, 1857, 1873, and, finally, that of 1893, and you will find that most of them were traceable directly to the effects of legislation that affected, or might affect,

established duties and prices on the cheap manufactured products of rival trade countries.

There are some free traders who pretend to believe that Mr. Harrison was defeated on the tariff issue, and that the panic of 1893 was caused by anything and everything, except the prospective change in the tariff laws. The student of affairs who is searching for truth will find that Mr. Harrison's defeat was caused: First, from the fact that the people of the entire country were tired of obsolete war issues, pension frauds, and the Force bill; and secondly, the confidence which the country felt for the personal ability of Mr. Cleveland to inaugurate a new era. The extreme tendency of the McKinley bill to overstep the requirements of judicious protection, may have had something to do with it, and the conservative element of the country seemed willing to sacrifice a portion of the McKinley bill in the interest of other questions; but, while the tariff question did not elect Mr. Cleveland, it will elect a Republican president in 1896, and the South will contribute some of her electoral votes to that purpose, unless the present administration shall simply modify it to an almost imperceptible degree. The time has come when this country must emphatically and definitely declare for one or the other of the two systems, and her policy must be defined as clearly as the position of Great Britain. It has been retarded, because of the apathy of the South on the tariff question, for more important ones. The most important questions which the American people have been called upon to solve, are the questions of slavery and the tariff. These are fundamental questions. They existed from the days of Washington to the days of Lincoln, and joined on many a political battlefield. Slavery was morally wrong; it was constitutionally right, and therefore possessed but one of the elements of stability. Protection claims and possesses both elements of stability—it is morally, as well as constitutionally, right. These two fundamental questions in political economy have divided the people since the government was organized. They were the main planks of every dominant or opposing party. They have caused more dissension and divisions than all other political

questions combined. Take the question of slavery. When the Constitution was adopted there were twelve slave states and one free state. In spite of this tremendous majority, the instinctive antipathy of our forefathers to slavery—even among some of the slave states—and the question of representation, whereby the slave states were to be credited with the slave population in their representation, came very near defeating the adoption and ratification of the Constitution. It is true, the question of the public lands and the question of state sovereignty had some influence, but to the student of the political history of the United States, and of the great parties that have risen and flourished, and some of which have passed away, the question of the public lands and of state sovereignty was incidental to the question of slavery.

Except for the question of slavery, states' rights would have been acquiesced in, and it is probable that even the extreme view, as embodied in the nullification doctrine, would have been partially accepted. The question of slavery was a disturbing element in the very beginning. It was a disturbing element when Section 2 of Article I. of the Constitution was considered, and when the first clause of Section 9, Article I., was adopted, prohibiting the introduction of slaves after the year 1808. It was the disturbing element in 1820, when the Missouri Compromise was effected. It was at the bottom of the nullification question. It was the disturbing element in the annexation of Texas. It was the disturbing element which led up to the compromise of 1850. It divided the Methodist church into two parts, North and South. It raised a constant disturbance in every Presbyterian Assembly that met from 1850 up to 1861. It agitated the Unitarian church in 1856, and came near splitting the American Tract Society in two, in 1858. It was like dynamite that had become imbedded in the body politic, which threatened to explode at any time, and finally, in 1861, the electric spark of war ignited it, and for four years the very existence of the Union was imperiled. The Thirteenth Amendment has settled that question for all time. The question of nullification and the right of a state to secede is settled for all

time. To be able to understand the tremendous change that was effected by that war, it would be interesting to read the Constitutions of the Southern States as they were in 1860, and as they are now. Under the old Constitutions, slavery and states' rights were not only the central idea, but were so hedged about and protected that it was almost impossible to effect a change in those Constitutions. Under the present Constitution of Alabama, which went into operation December 6, 1875, appear the following: In Article I., Section 33, "No form of slavery shall exist in the state," etc. Section 35, "The people of this state accept as final the established fact, that from the Federal Union there can be no secession of any state," and these provisions substantially appear in all the Constitutions of the seceding states—but they cost the country more than eight thousand millions of dollars and more than six hundred thousand lives.

The question of protection is only second in importance to slavery and to the right of a state to secede, and now is the time to settle it definitely and for all time. It can never become such a disturbing element in politics as the slavery question, and it can never disrupt the Union, but its effect upon bringing about war was not inconsiderable; and it is a significant fact, that the Union war party from 1860 to the present time, have been protectionists. While it has been verified that the Union could not exist "half slave and half free," it is equally true that, while it may exist either under a protective or under a free trade policy, it cannot prosper and reach that high state of development and wealth that it is entitled to, except under one of these two systems. Why should the South continue to passively adhere to the free trade heresy? She is only at the outer portals of a temple of commercial wealth, more substantial in its magnificent proportions and resources than any earthly king has reared. She can manufacture more, and produce it cheaper, than the older iron states of the North and West. Her coal is inexhaustible, and some of the largest deposits are nearer to tidewater than any deposits in the world—except those in England. She is beginning to develop only the outer edge of immense timber forests, and is successfully competing with Canada in the north-

ern and western markets. Her orange crops are increasing every year, and her sugar and rice plantations, under the system of protection, are increasing in area. With such prospects in view, and while she is on the very threshold of prosperity, shall we now turn back, close her iron and coal mines, shut down her factories, cut down her orange groves, relegate her vast timber forests to decay and fire, and leave her sugar cane and rice fields to grow up in weeds? In 1843, Horace Greely laid down five distinct propositions applicable to the protective system. Those principles are as sound to-day, in theory, as they were then. Under the practical test of more than thirty years they are simply impregnable. They are especially adapted to the present condition of the Southern States. Mr. Greely submitted the following: First proposition—"A nation which would be prosperous, must prosecute various branches of industry and supply its vital wants mainly by the labor of its own hands." Second proposition—"There is a natural tendency in a comparatively new country to become, and continue, an exporter of grain and other rude staples, and an importer of manufactures." Third proposition—"It is injurious to the new country thus to continue dependent for its supplies of clothing and manufactured fabrics on the old." Fourth proposition—"That equilibrium between agriculture, manufactures, and commerce, which we need, can only be maintained by protective duties." Fifth proposition—"Protection is necessary and proper, to sustain as well as to create a beneficent adjustment of our national industry."

Suppose that the South should take unto herself and apply these principles to her present naturally favorable conditions. Under a protective tariff, she has it in her power to shut down indefinitely the immense cotton manufacturing plants of Manchester and Leeds. She has it in her power to bankrupt Fall River and Lowell and Pittsburg, unless they shall bring their manufacturing plants to the inexhaustible iron and coal fields and the almost limitless cotton plantations of the South. Instead of sending her cotton abroad at seven cents per pound, she can send it in the shape of thread or cotton yarn at fourteen cents,

or in the shape of cloth at twenty-eight cents. In thus enhancing the value of her staple product 400 per cent, she not only brings into her borders that much increase in money, but she will have given employment to thousands of laborers, who are taken away from competition in other branches of industry. These are some of the reasons why the South should favor a protective tariff, and will be ripe for its adoption in 1896—and possibly in 1894.

GUY C. SIBLEY.

TAXATION FOR SUPPORT OF THE COMMON SCHOOLS.

BY J. W. MASON.

WHILE "The Free School System," in the October number of THE AMERICAN JOURNAL OF POLITICS, is treated with marked ability, yet, the conclusion reached is one that may be arrived at from thus reasoning upon any power exercised by government. There is not a restraint that authority puts upon a single member of society which can be said to be "based upon principles of absolute justice." Nations, governments, laws, have nothing to do with "absolute justice." No one would sooner deny that we can form any conception of absolute justice, than Herbert Spencer himself.

"Relative justification" is the only warrant for any system, rule, or restriction. We are unable to conceive or think about an absolute law or absolute justice. Everything, so far as the human mind is capable of knowing, is relative. It matters not how universal may appear to be the working of a natural law, we can conceive of it only under conditions ever present, without which conditions we cannot assert that such law exists. We can look at these natural laws, their workings and effects, in an impersonal way, but the moment a condition arises which introduces a personal or moral consideration, the whole subject becomes, if I may so speak, less absolute and more relative. It is this which renders the study of sociology so fascinating, and at the same time so elusive.

Government, the duty it imposes on its members, and the rights which members surrender to it, are but means to a desired end. There can be no perfect government till there is a perfect humanity to govern. Consequently, the problem which presents itself is not the attainment of perfect or ideal results, but the best possible under existing conditions.

The will of the majority may not be a perfect arbiter, but it is the best we are able to get in our present stage of mental and moral advancement.

Now, when we come to apply these general truths to a particular subject or policy of government, the question must be determined by what the majority considers the best means to accomplish a desired end. There can be no cohesive society—government—without a power somewhere vested to decide and compel obedience.

Given the best form of government possible for the people governed, the important end then is the preservation of that government. If the free school system in a republic is more conducive to that preservation than its absence, it stands as its own justification. If its injustice and burdens outweigh its benefits, it stands condemned.

Possibly a republican form of government—a government by the people—is not the best; but we take it for granted that it is the best for an enlightened people that we know of in this day and age of the world. A high average of intelligence and education is essential to maintain such a government. A free school system is the best known means by which a high average of intelligence and education can be maintained; hence, such system is not an abuse, but an essential.

Take the example so forcibly used by the writer in question. She says: "Suppose a society, A, B, C, D, E, F, in which A, B, and C, D, form matrimonial alliances. Then E and F, though they were without power to prevent the marriages, become jointly responsible with the contracting persons for the education of the children that may result from these unions." The number supposed constitutes a society, each member of which has certain rights within, and to it owes certain duties. A, B, and C, D, when they enter into matrimonial alliances, are exercising privileges which, under that society, they have a perfect right to enjoy. Thus far, E and F have no cause to complain. They can do the same, or refrain from so doing. They have the utmost freedom to exercise their choice. From the rightful alliance of A, B, and C, D, children may result. When

they arrive this society becomes enlarged, and in time, these children will owe to it a duty similar in all respects to that due from all of its other members. We now find these children incorporated into this body, and that without any wrong having been done by any one. The duty to preserve the society is not changed, but rests equally upon all of its members. One of the essentials for such preservation being the education of the young, it is a duty and not an abuse, that all contribute a just proportion to that end. This could not be otherwise, unless the society were a "close corporation," into whose ranks and numbers none other had a right to enter without the consent of the whole body, or a controlling majority. Nor would this duty have been changed in the least, had E and F only formed a matrimonial alliance, from which children resulted, necessitating the taxation of the majority for the education of the children of the minority. The preservation of the society being the object and duty of all, it is right, as we view "right," that all contribute towards that end. It is not necessary to call the education of the children a personal right due them, but a duty, rather due the society—the government. Taxation is one of the burdens which all have to bear for the benefits conferred. The right of taxation for educational purposes does not differ from any other right of taxation. The writer asserts this when she says: "Whatever its ostensible motive, a power which forcibly deprives an individual of his property, or any part of it, is anti-social, violating the elementary law of society." According to this canon, any tax, for whatever government purpose levied, is wrong,—against the elementary law of society; and government, itself, is wrong. The people of this government do not think it wrong to forcibly deprive an individual of his property. That is a right and power which the people have granted, subject to the restriction imposed, that the individual shall not be so deprived, "without due process of law."

If men were perfect, necessary revenue to support and protect the government could be raised without excise or other tax laws. Voluntary contribution of every one's share would render the tax gatherer unnecessary. The perfect man, knowing his just

proportion, would pay it with pleasure. Unfortunately, men are not thus perfect.

In the society supposed, let us assume that F, after contributing for a time to the education of the children of A, B, and C, D, becomes disabled or demented, without means of support. Under such circumstances, is that power of the government which taxes A, B, C, and D, for the support of an institution wherein to care for F, open to condemnation? The care and protection of F, under such circumstances, is one of his contingent rights to which the whole society must respond, and that as a matter, not of good will or the voluntary exercise of a philanthropic spirit, but as a matter of right, under the government he has helped to sustain. This right is predicated upon every duty he has performed to the government, whether that duty was the payment of a school tax, or a tax paid or service rendered for any other governmental purpose.

It is quite easy to imagine an individual member of society, as now constituted, going all through life without having a single personal or property right violated or infringed. Because thus fortunate, and never having had occasion to call upon the laws of the land for aid or protection, could he in reason or morals be heard to say that he should bear no part of the burdens of government, whose power he had never invoked? Such claim would be, in all respects, as reasonable as that of E and F, in objecting to a tax toward the support of a school system, which was the adopted policy of the society to which they belonged, and whose rights, privileges, and protection they enjoyed.

This imaginary society serves as a convenient example to illustrate many expedients justified on part of the majority for the preservation of the whole. Suppose that E and F, regardless of public health and safety, but in the exercise of what they deem an elementary right, violate every known sanitary rule, thereby endangering the health of the community, or any part of it. Will it be argued that the majority may not take steps to correct the evil, punish E and F, if necessary, and tax the whole community to prevent contagion and preserve the public health?

The will of the majority is subject to any influence that may be exerted upon it by the minority. The latter has the right to protest, petition, and educate the majority at all times, if it can. In this way the minority often finds itself in the majority, and subject to the conditions and responsibilities attending such change.

If we admit the truth of the assertion that the free school system is an abuse and not adapted "to the needs of any social state," there is nothing to be said for it. Such assertion is opposed, however, to the best and most advanced thought of the age. The beneficence of the system is being recognized and acknowledged more and more; and while it is the undoubted right of any member of the government disbelieving in its benefits and opposed to its burdens to remove beyond and out of reach of them, still, it is yearly growing more difficult so to do. It has not been a great while since one so discontented could within this country readily get from under such benefits and burdens; but the spirit of free education is abroad in the land, and with strides so rapid that it is no longer easy to get beyond its reach and influence.

Could we have its advantages without its burdens, it would, doubtless, be accepted with less objection; but few of the desirable things in life come to us in that way, and when they do so come, are appreciated less than when we have to give value for them.

Again the writer says: "The theory that the relation between the individual and the state is one of contract, makes the tax appear to be a voluntary contribution. If it were, the basic objection to the free school system as it really is would have no actual existence." Judge Cooley defines "state" as a body politic, or society of men united together for the purposes of promoting their mutual safety and advantage by the joint efforts of their combined strength. The same authority defines "constitution," in the American sense, as implying the written instrument *agreed* upon by the people of the Union, as the absolute rule of action and decision for all departments of the government in respect to all points covered by it, until it shall

be changed by the authority of the people who established it; and in opposition to which any act or regulation of any such de-department, or even of the people themselves, will be altogether void.

In this country, the relation between the people and the state is that of a compact. All rights and powers of government are subject of grant from the people themselves, expressed or implied in the fundamental law of the Union and each separate state; formally adopted, ratified, and approved by the people; and as Judge Cooley says, "for the purpose of promoting their mutual safety and advantage by the joint efforts of their combined strength."

This being the relation, based upon agreement, it follows, inevitably, that the society thus formed can continue to exist only so long as the laws governing the conduct of its members are enforced. One may make a pleasure or necessity of its requirements, but however enforced, so long as the requirements of government are within its granted powers, no element of wrong exists. There may be compulsion, but compulsion is not wrong if it finds its warrant within the terms of the compact. The wrong is on the side of him who resists.

In this discussion, when speaking of society, civil society is necessarily meant, which is a combination of individuals united together and governed by laws. The temperance club mentioned by the writer in question, is not such a society—not a body politic—and the analogy sought to be established is false. Such club or society, of course, is governed by rules of its own adoption; and members, so long as they retain their relation with it, are under obligations to observe them. When one finds the action of the majority tyrannous he may withdraw, and thus release himself of its tyranny; but in so doing he is exercising a right which he has under the law of the society itself. He cannot escape its obligations and still remain in it. If from civil society he cannot withdraw and yet live on the habitable parts of the globe, that is not a fault of society at all, but is attributable only to the conditions under which he, with all others, is placed. These conditions he must bear, relieved only

by such solace as he may be able to draw from the teaching of the anarchist who inveighs against all restraints and conditions.

Possibly, as this writer says, "taxation is a clumsy contrivance for maintaining the law of equal freedom"; but what better is offered in its place? Man, at all points, seems confronted by imperfections. Most of the important appliances which have revolutionized the industrial world, and which are doing the work of our civilized age, are "clumsy contrivances"—wasteful and extravagant, but they are the best obtainable up to the present. They must be made use of till the genius of invention shall supplant them by instrumentalities less clumsy. In this way, everywhere and in everything, improvement is wrought, though *perfection* is never reached.

J. W. MASON.

INDUSTRIAL DEPRESSIONS: THEIR CAUSE AND CURE.

BY FREDERICK H. COOKE.

TWENTY years since, there commenced an era of industrial depression unparalled in the history of the world. It has been continuous during all these twenty years, though temporary and local causes have, here and there, tended to obscure the fact of continuity.

This long continuance suffices of itself to create the suspicion that the end is not near; indeed, as we proceed, we shall discover still more convincing evidences that it is not. The causes of the evil have been too long and too widely at work, to justify a hope of its speedy termination.

All will admit that a clear conception of these causes is highly desirable. But there is a curious vagueness in prevalent conceptions as to what the causes are, and a consequent contrariety of opinion. According to Mr. David A. Wells (in his "Recent Economic Changes," c. 1, p. 21), "in the investigations undertaken by committees of Congress in the United States, the causes assigned by the various witnesses, who testified before them, were comprised under no less than *one hundred and eighty* heads; and an almost equal diversity of opinion was manifested by the witnesses who appeared before the Royal (British) Commission."

In all countries characterized by industrial activity, the minds of men have been busily at work seeking a cause sufficient to explain the phenomena, but their search has been much impeded by the tendency to which Mr. Wells calls attention, "to greatly magnify the influence of purely local causes." Some of the assigned causes seem ludicrous enough (to one at a distance). Thus a Dutch committee in 1886 found an important cause in

"the low price of German vinegar;" in Germany, the "immigration of Polish Jews" is cited as having been influential; in France, among the principal assigned causes is "the disappearance of sardines and other fish from the coast of Brittany"; in Italy, "a disease among the silk-worms" is prominently cited. Nor are we in this country free from the tendency to magnify local causes. Thus, it is common, especially during political campaigns, to enlarge on the presence or absence of specific tariff or financial legislation.

There is, or may be, truth in all these allegations. As temporary and local causes have here and there lightened the burden, so such causes have here and there increased it. But it scarcely needs arguing, that an effect so widespread, and so long continued cannot be adequately accounted for by assigning any temporary and local cause. There must be some deeply fundamental cause, to which such other causes are merely incidental.

We believe that in a rather vague, imperfect way, the nature of the fundamental cause is already generally understood; the name "over-production" is assigned to it. This name, however, carries with it many misleading implications; "under-consumption" would be a more appropriate designation, as we hope to show clearly.

It is also more or less distinctly understood that there is some sort of connection, presumably of cause and effect, between industrial depressions generally, and the wonderful industrial revolution that commenced in the last century, and has continued into this, wholly transforming, in an incredibly short time, prevailing conditions of production, transportation, and sale. In order to ascertain whether there is any such connection of cause and effect, and if so, just what its nature is, it seems desirable to obtain some general idea of the industrial conditions that had prevailed throughout the world, previously to the great industrial revolution.

What we actually know of the primitive condition of the human race, supplemented by our knowledge of the present condition of the rudest savage tribes, points to the conclusion that men then lived without either industrial or political organi-

zation, save so far as the form of such organization was furnished by the family group. But the struggles among groups preying upon one another, led to the existence of organizations for mutual protection, and such organizations have developed into our present political governments. And such governments have, until a comparatively recent period, been characterized by a universal form—a small, compact ruling class, monopolizing the earth and its products, leaving the great majority of the people just enough to enable them to live, and labor to supply the wants of their masters. This description applies to the great empires of antiquity and, indeed, to the Eastern despotisms of the present day; in a very large degree to the Russian Empire also.

But, for a long time, what we know as manufactures or commerce scarcely existed at all. Yet by degrees the wants of the ruling classes led to the development of a class of manufacturers and traders (the word "manufacturer" being here applicable in its literal sense of "maker by hand"), who supplied articles of necessity and luxury for their use.

Even so recently as the Middle Ages, so-called, manufactures and commerce had not essentially advanced beyond this primitive condition. Such centers as Venice and Genoa became opulent from manufactures and commerce, but they neither knew nor cared about the wants of the toiling masses. Their business was to gratify the luxurious wants of the ruling classes. Thus we read of Venice, that in the Middle Ages its "principal manufactures" were of "gold and silver work, glass, and velvet and silk"—the silk stuffs including "damasks with patterns of extraordinary beauty"; that "in addition to the native stuffs, an immense quantity of costly Oriental carpets, wall-hangings, and other textiles were imported, partly for its own use and partly for export throughout Western Europe" (Prof. J. H. Middleton, in an article on "Venice," in the *Encyclopædia Britannica*). It may be assumed that the dealers in these goods did not find an extensive market among the laboring classes of Western Europe. It is stated by the same authority that to this list of mediæval manufactures "*must now be added cotton*, in

which, as well as in grain, oils, wine and spirits, drugs, fish, and *hides and leather*, an active trade is carried on." A significant illustration of the changed conditions of manufacture and commerce!

In the development of these three classes, (1) the ruling landowners, (2) the toiling masses, (3) the manufacturers and traders, we may discern the historic origin of the distinction among *land*, *labor*, and *capital*, a distinction that in the hands of political economists has given rise to many an arid refinement, more perplexing than helpful to the student of genuine social problems.

Under the conditions described, industrial depressions were unknown. The limits of the "market," *i. e.*, the wants of the ruling classes, were pretty clearly defined, and varied comparatively little from age to age. Nor was there serious danger of suddenly and disastrously increasing the supply of articles slowly produced by hand labor, and slowly transported over great distances. Questions of the limit of the market and of the number of consumers, the mediæval manufacturer or merchant had little occasion to trouble himself with. The occasional bankruptcy of an individual tradesman had but little effect on the body commercial.

But in the eighteenth and nineteenth centuries came, or culminated, a wondrous change. The old methods of production, transportation, and sale were revolutionized. The steam engine, the power loom, the spinning jenny, increased a thousand, even a million-fold, capacities for production. Without machinery a workman could scarcely make a pin a day. Adam Smith regarded it as marvelous that in his time ten men, aided by improved methods of production, could make 48,000 pins a day. Now three men can make 7,500,000 pins a day. The influence of the locomotive, the telegraph, and other nineteenth century improvements, is too trite a subject to dwell upon.

During all this period of industrial transformation, men have eagerly pressed forward to develop improved methods of production, transportation, and sale. Costly labor-saving machinery has been adopted; the wages of labor have been studiously

reduced to the lowest possible point. Professed political economists have sought to aid the work with studies respecting the economics of production. Problems of the "cost of production" as affecting "value," have been discussed with a bewildering elaboration of metaphysical subtlety.

For a time all went on comparatively well. There came, indeed, from time to time, "commercial crises," but these were commonly regarded as inevitable concomitants of a process of adjustment to new conditions, and with the gradual recovery from the immediate effects of a crisis, its cause soon ceased to be regarded as a matter of practical interest.

But during all this time a most consequential element in the problem had been overlooked, or rather had been taken for granted. That element was *the consumer*. We have seen that the mediæval producers had gone along very well without troubling themselves with the problem of the market or the economics of consumption, and the habit developed throughout the centuries has continued during the great era of the industrial revolution. The mediæval maker of a costly gold or silver ornament might safely count on finding a customer sooner or later among the wealthy ruling classes, but what assurance has he who manufactures some billions of pins a year that he will find purchasers for more than an inconsiderable fraction of his product? Clearly he cannot safely assume that a wealthy few will find occasion to use so prodigious a number!

What has been said of pins will apply in substance, not merely to machine-made articles generally, but to agricultural products also, in view of the enormous increase in facilities for raising and transporting them. The immediately pressing economic problem of the day is not so much how to produce most cheaply as it is how to sell what is produced.

Not that progress in the line of production is likely to cease, or that it is desirable that it should cease. On the contrary, all the signs of the times point forward to far greater progress in this line, by means of improved methods and by concentration of capital. But it remains true that there must be an answering progress in the line of *consumption*. The ancient or mediæ-

val producer might perhaps rely on the existence of a body of consumers consisting of the ruling classes, wealthy, though few; the modern producer cannot. The body of cousumers on which he may rely must consist of the masses of the people. But who are the masses of the people? The wage workers. But how are they to be enabled to consume on a large scale? By receiving high wages. Hence the immediately pressing economic problem of the day becomes, how to secure high wages for the masses. To the extent that high wages prevail will a body of consumers be developed that will furnish a market for the commodities now incorrectly said to be "overproduced," but which are in reality "underconsumed."

One in the habit of taking a broad view of the destiny of the human race cannot refrain from casting a glance forward to the time centuries hence, when throughout the world, in the heart of Africa and Asia, as well as in Great Britain and the United States, the masses of the people will be employed in industrial pursuits, and receive high compensation for their labor, constituting a body of consumers with effective desires surpassing the capacity of the strongest imagination. But such a time is so distant that we content ourselves with a view confined to the countries wherein at the present time industrial pursuits are habitual. Does there exist any tendency toward the increase of the wages of the laboring classes generally, and by consequence toward the development of a body of consumers, the existence of which will sooner or later prove the cure of our present industrial depression? The question is one of fact, into which we shall not enter beyond expressing our view that the available evidence sufficiently shows that such tendency exists. See for instance the facts collected by Mr. Wells, ("Recent Economic Changes," c. 10, p. 406.) Nor is it needful to here discuss the causes of such tendency; the fact of its existence suffices.

The fact being given that in any given community there exists a general tendency toward an increase of the wages of the laboring classes, and the fact being given that such tendency is beneficial to the community in developing a body of consumers for the products of the community, what may we conclude as to the

future of such tendency? Biologists have long understood that, as between any two groups, whether of men or lower animals or plants, any physical characteristic prevalent in one group, that makes it better fitted to meet surrounding conditions, will in the long run cause it to outgrow, perhaps outlive, the other group. *The fittest survive.* Nor need we arbitrarily confine this great truth to purely physical structures and functions; we may extend it to modes of thought, speech, and action generally. Hence, to take a concrete example, if, as between the United States and Great Britain, there exists in the former at the present time a stronger tendency to a mode of action that will result in the development of a body of consumers, and by consequence the increase of prosperity among producers, we may be sure that the United States will tend to outgrow Great Britain in industrial prosperity. This does not, however, imply what so many might superficially conclude, that the industrial adversity of Great Britain involves the industrial prosperity of the United States.

If, now, our conclusions are sound, it appears that the present era of industrial depression that has so long continued will not soon terminate. It is the result of causes that have long been in operation, and that will long continue to be. Yet the causes that will bring it to a termination are also already actively in operation, and will continue to be. The main cause is the absence of a body of consumers, sufficient both as to ability and willingness, to constitute a market for the product so enormously increased by improved methods of production, transportation and sale. And, as the wage workers constitute, and will long constitute the great body of consumers, it results that the only cause sufficient to bring the era of industrial depression to an end is the development of the ability and willingness of the wage workers generally to consume the enormously increased product—in short, the only efficient cure for industrial depressions is a general increase of wages.

Of course the advantages of increasing wages have long been urged from the standpoint of the laboring classes. But each movement for such an increase has, as a rule, been stoutly

resisted by the employing classes, who regarded the general economic problem as purely one of *production*, not as one of *consumption* also. In this contention they have been powerfully aided by the great body of professed political economists, who have frowned upon all such movements. The Malthusian theory was once a strong staff of reliance for the political economists; it is less so since biological research has tended to reveal the unsoundness of the premises on which that theory was based, and since whatever there may be of abstract truth in it has been for centuries, at least, rendered of no practical interest by the very improvements in production to which we have alluded. But, apart from the Malthusian theory, it is not more than a generation since, that the body of political economists were teaching the doctrine so agreeable to employers, that any movement to increase the wages of the laboring classes generally was a movement to accomplish an economic impossibility; that any movement to increase the wages of any particular group of laborers was a movement to accomplish an economic evil. Their view was that not only would the immediate employer be injured by being obliged to produce at a greater cost, but all other laborers would be injured by reason of the general "wage fund" being reduced, and there being consequently less to "go around." It is true that this theory is no longer held in this forbidding form by political economists of repute; yet it lurks here and there in economic discussions, and has still a powerful influence to obscure the conception of the true cure for the present industrial depression—*the development of a body of consumers by increasing the wages of the laboring classes, who constitute the great majority of such body.*

FREDERICK H. COOKE.

A STUDY OF THE SOCIAL EVIL.

BY J. W. WALTON.

THE sentiment of love which unites the lives of one man and one woman is as old and well-nigh as universal as the race. Passion is an instinct which man shares with his kindred, the lower animals; yet, being endowed with the supreme gift of moral consciousness, his sexual relations are normally dominated by love, and not by passion.

Among the many, varied, and complex forms in which natural and moral laws are broken, there stands out in sad prominence the fact of female prostitution. To ignore its existence would be unwise, even if it were possible. The problem of the end of the century is the modern city, and the problem of city government is becoming more and more involved with that of the so-called "social evil."

My aim is to awaken and direct the thought of intelligent students of affairs, in the hope that good and wise men and women may devise and agree upon such measures in dealing with this problem as shall not only commend themselves to the sovereign public, but by their practical wisdom enforce their own adoption, to the end that this gigantic evil may eventually cease.

The history of prostitution begins with the story of Sodom and of Judah in the oldest book in the world. Ancient civilizations furnish many chapters of it, especially in the times of their decay. No land or age has escaped its shadow. Ancient Greece and Rome made it a part of religion and the cult of Venus or Astarte furnishes us an awful commentary upon the opening paragraphs of St. Paul's epistle to the Romans. Socrates and his fellow-sages were not above consorting with bright women of easy virtue. Monarchs of the Middle Ages and rich men of all

ages have been taken in this snare. The history of more than one nation has been shaped by such women.

From the earliest times measures have not been wanting to punish them and to stop their loathsome trade, yet these very means have often resulted in its firmer entrenchment. One of the saddest features of this whole sad subject is the long record of failure on the part of the best and wisest, as well as the most powerful rulers, to root out this perennial vice. The whole power of church and state united has failed to abolish prostitution in a single land for a single generation. For an extended account of the facts the student is referred to the work of Dr. Sanger, published some years since by Harper & Brothers, the monumental works of Dufour and Parent du Chatelet, as well as more recent French authors, such as Jeannel, Reuss, Mireur, Guyot, Fiaux, Lecour, Richard and Carlier; the Austrian, Tarnousky; the Russian, Dr. Sperck; or Van den Bergh of Holland.

The apparent hopelessness of prophylactic effort has led men in various places to stop fighting it, to call it a necessary evil (plainly a contradiction in terms), and to bend their efforts, even at the cost of injustice and wrong principle, toward mitigating its baneful effects upon mankind. France, "that crucible of all the nations," has led in the experiment of toleration and guardianship.

Confining ourselves, for the purpose of this discussion, to the strict definition of the subject, that is, unlawful intercourse for gain, we first inquire, what are the causes which lead to it? The primal cause is sin, the origin of which we may leave to the theologians to settle, if they can. That is out of my power or province. The proximate causes naturally divide themselves into two classes, intrinsic and extrinsic. Under the first head two qualities of human nature predominate, namely, lust and laziness. While it is broadly true that young men suffer greater temptations in the line of lewdness than young women do, doubtless some natures, perhaps by inheritance, strongly impel their possessors to acts and lives of vicious indulgence. Observers of mental disease have marked many well-defined cases of what they call nymphomania.

Where one girl in a thousand, however, finds her moral instincts perverted and controlled by the lower passions, a hundred suffer from indolence, coupled with love of display. This vice—for it is a vice—is confined to no class in the community. Extreme poverty crushes the hope of a living, while great wealth whispers to its possessor that labor is unnecessary. Yet riches take to themselves wings and leave their helpless daughters to face temptation, too often with little desire or even ability to earn a living. The ranks of the great army of prostitutes are recruited almost wholly from these two classes. And it is worth notice that while the uncultured daughters of poverty may at length rise from lives of sin, the class that falls farther sinks deeper and more hopelessly. A modern summer resort, boarding house life for our American women is in the road downward.

The causes outside the individual are naturally more numerous. For then society, as such, is responsible. It thus becomes most important for us to study them. It is exceedingly difficult to gather reliable statistics on this subject. Those noble women who conduct reformatories get nearer to the truth than all others can do. Reports to officials from fallen women themselves are notoriously unreliable. The twin vices of bad company and strong drink undoubtedly lead more young people astray than any other. Hard upon their heels comes the pressure of poverty. The struggle of thousands of young women in our large cities to maintain virtuous lives in the face of temptation and unfortified by sufficient food, if realized, would move all hearts profoundly. Instead of looking down upon such heroines, as belonging to "the weaker sex," to be a soldier, "seeking the bubble Reputation, even in the cannon's mouth," though vastly more dramatic, is seen to be comparatively easy and deserves less honor. Some facts drawn from recent official sources in Ohio are here in point.

In the course of over 50,000 observations among the wage-working women in the factories of the five principal cities of this central western state, it was ascertained that less than one-third work by the day or week, while more than two-thirds are

piece-workers. Of the former, from ten to thirty-eight per cent, according to the locality observed, receive less than $3.00 per week, while those receiving $7.00 and upwards per week, aggregate respectively in the five cities, twenty-five, fifteen, six, four and one per cent of the total number of time-paid women. In the case of women doing piece work, the figures run all the way from nine per cent who earn $1.00 to $3.00 weekly in Columbus, to twenty-six per cent who earn $7.00 to $10.00 per week in the same city, the vast preponderance being as high on the average as fifty per cent in all the cities, of those who gain from $3.00 to $5.00 per week, when work is to be had, out of which many of them are obliged to meet all the expenses of living. Some of the prices paid are pitiful. Think of a girl working all day and into the night making vests at $.75 to $1.25 per dozen, eight being the highest number she can turn out when work is most plentiful, or breathing the nicotine laden air of a tobacco factory all day, with deft fingers manipulating the weed, and being paid forty to ninety cents at night. Sorting rags, however useful, is not an attractive vocation, yet ninety per cent of those employed in it in Toledo receive less than $3.00 per week when they work.

The work of a self-respecting household servant is much better rewarded, and should be preferred by sensible young persons; yet even in sheltered homes, where food and fuel are not extras to be paid for, it has sometimes occurred that temptation has come to light, even more insidious than would have met the girl who works in the shop and boards herself.

Intemperance is a companion of prostitution. It is highly probable that few young women would take the fatal plunge were their brains at the time unclouded by stimulants. It is unnecessary to charge the seducer with having drugged the wine, his crime is already awful. The parents, or guardians who permit young people to mingle in rooms where wine is served, assume grave responsibility. It is hard to preserve a judicial manner when alluding to this branch of the subject. "Easy is the descent into hell, but to retrace your steps and reascend into the upper air, this is labor, this is work."

From the earliest times, thoughtful men have striven to eradicate this great evil. Moses built a hedge about it, enacting such laws as a semi-civilized people just issuing from slavery could endure. He declared that money thus made is contaminated, "an abomination to the Lord," an inspired statement which is commended to those who to-day derive an income from such sources. Dr. John Chapman, in a long article published in the *Westminster Review*, January, 1870, gives a learned *resumé* of the experiments made by various governments in the endeavor to control prostitution. Since that date numerous works for and against license, have appeared, especially in France, where municipal control has grown into a political question. The limits of this article forbid more than a passing glance at the present state of the world in this regard.

In China, prostitution is an art, practiced not alone upon land, but especially in the flower boats of the ports, where disease makes fearful ravages. Prostitutes are introduced at high feasts from which wives are banished.

From "The Real Japan," by Henry Norman, a book published in 1892 by Charles Scribner's Sons, we learn highly interesting facts concerning the "Yoshiwara," or quarter set apart in a given town for its courtesans. In Tokio there are six of them, to which all licensed houses have been driven out of respectable neighborhoods, and where, in theory at least, regulations are enforced with great strictness. The entry of a neophyte to such a place is attended with discouraging formalities, yet it is not uncommon for girls to farm themselves to the keepers for the benefit of their parents, to whom the proprietor is ready to pay a stipulated sum, the amount of which is governed by the attractiveness of the subject. Should a "*yujo*" run away before the keeper has repaid himself for this advance by means of his share of her earnings, (theoretically one half) she may be brought back by civil action under breach of contract, or her parents or surety may be made to repay the balance due. Very few ever return to respectability; the majority either die or descend to the rank of servants in the same houses of which they were formerly the ornaments. Mr. Norman observes that

"this system has absolutely eradicated the appearance of vice in Tokio; you might walk the streets of this city of a million people for a year without seeing a sign of it—a state of things probably without a parallel in the civilized world. Then, too, they have dissociated it from riot and drunkenness and robbery; the streets of the Yoshiwara are as quiet and orderly as Mayfair or Fifth Avenue. And nobody in Japan can fall into temptation unwittingly; he must go in search of it."

Norway, in 1888, ceased to legalize public houses and to compel inspection even in Christiania, where clandestine prostitution has been frightfully prevalent and seduction very common. Disease was found to be more prevalent in the houses than elsewhere.

Spain taxes houses and their inmates, but leaves it optional with the latter to be inscribed. At Madrid there are about 150 licensed houses, but this number is decreasing, while clandestine prostitution is increasing.

Holland gives each city its own choice. No registration has ever been practiced at Amsterdam. Utrecht, Assen, Harlingen, Delft, Groningen, and Vanloo have abolished it. Venereal diseases are said to be least prevalent in Amsterdam. In Rotterdam the first article of the regulating ordinance begins, "Although forbidden, on principle, the existence of houses of ill-fame may be tolerated by the director of police, under certain conditions, but without in any manner abrogating the general rule established in this regard."

Germany practices regulation to some extent, though public houses are forbidden. In substance, the Berlin code of 1887 is as follows: Every registered woman is to report weekly at the inspector's office on a given day. When she is found to have contracted disease she is sent to a hospital. She must always dress in a quiet fashion, never station herself in the street or go out with others of her kind. She is forbidden access to theatres and other such places of public resort, to sing or smoke, to allure men by signs or voice, or to have any relations with scholars of the civil or military institutes or with other young men. She must keep her windows closed and curtained, and

throw out no light or other sign. Three days before changing her domicile, she must notify the police of the quarter whence and the quarter to which she removes. She must not live near a church, school, or barracks, and in no case is she allowed to enter a hotel. For breaking these rules she may be imprisoned up to six weeks, and afterward, at the discretion of the court, sent to a workhouse for two years. For the keeper of a house to receive minor girls, or those of any age, without the permission of the magistrates, is to incur the penalty of fine and imprisonment. Keepers must immediately report the presence of infected persons. Those who practice clandestine prostitution subject themselves to three months' imprisonment.

In Russia the eminent authority, Dr. Sperck, sententiously says that a well woman is sure to get disease in a house in less than three years.

Austria has partial registration. Here is a paragraph from a report written by Dr. Kohn-Abrest of Vienna. "This important act was passed in 1873, but was sensibly modified in 1879 by the designation, *ex officio*, of sworn physicians, who alone are authorized to inspect prostitutes and give certificates of health. Previous to that time any woman was free to choose her own doctor, and his certificate of inspection was accepted. It is easy to see that this liberty gave rise to abuses and even scandals. It often happened that for the sake of working up a large clientage (for no inspection was free), unscrupulous doctors would give misleading certificates, while others had relations with the girls which were inconsistent with professional dignity."

Denmark brings all physicians under a law which produces reliable statistics regarding all diseases. During the decade 1876–85, the number of cases of venereal diseases largely increased, particularly among men. Copenhagen, Elsineur, and Odense are the only cities where registration is practiced. In Copenhagen the clandestine women outnumber the registered nearly fifteen to one, yet the latter are proportionately the greatest sufferers from disease.

Italy, with nearly 30,000,000 population, registers about 10,000 prostitutes, and an estimate, which Dr. Reuss thinks too low,

places the number of clandestines at 50,000. In 1855 a code of regulations, based on those of Paris, was adopted in Turin and in all Piedmont and Sardinia, and as the kingdom of Italy grew more compact this gradually covered all its territory. The doctors who made examinations held their places three years and were paid not to exceed $400 a year. The houses were taxed from $6 to $120 a year, and inmates ten to twenty cents a visit. In 1887, in obedience to the continued agitation of the question by the opposers of registration, a royal commission was appointed to consider the whole question. This commission reported that regulation inconsistent with human dignity; that the system of protection and oppression inaugurated by the state had not diminished public incitation to debauchery; that it regulated what the laws forbade; that regulation perverted those who carried it out; that by its abuses it brought all authority into contempt; that at best it only affected the inscribed and let the vast numbers of clandestines go free. In 1866 the army surgeons reported 6.6 per cent of its effective force syphilitic; in 1887, 6.3 per cent.

The abuses of the old system were so flagrant that its own friends attempted reform in 1887, and a new system was adopted wherein the attempt was made to avoid the charge of interference with individual liberty, to embrace the clandestine classes, and to adapt the code to modern hygienic science.

On March 29, 1888, King Humbert issued a decree of abolition of the code, but left it in the hands of his ministers to say how fast or how soon it should go into effect. Signor Crispi, prime minister, was interrogated on the subject by Deputy Villa, April 14, 1888. He replied that the commission was not unanimous in their report, but that a minority had reported, advocating a mixed system. He had subsequently formed a new commission, to whom all the documents were referred. His belief was that the edict of 1860 reduced the unfortunate women to slavery. The idea prominent in the new code is complete surveillance over vice; treatment of diseased persons, nearly, but not quite, compulsory; obligation on the part of keepers of resorts to cure their sick. If this does not produce satisfactory

results the health department is authorized to visit the houses and inspect their inmates, permanently closing any house which, in its judgment, constitutes a peril or scandal for society. The minister further announced the formation of a society of assistance for any who would leave the life. He felt proud of the act.

It would appear that this measure is a compromise—abolishing lock-hospitals, and replacing them, in the large cities, by special hospitals, also creating free public dispensaries.

England permitted no organized prostitution until 1864, when an act of Parliament, known as "the Contagious Diseases Act," was rushed through without debate. Its action was confined to six seaports and camps, and was in the ostensible interest of the army and navy. Thus began in England the first measure of police espionage and forcible entrance of domicile, also of legalization of vice. It was warmly defended by many officers and surgeons, and as hotly contested by the British and Foreign Federation, established for that purpose. The effect of this legislation was favorable to the health of the army and navy, but it drove diseased women from the seaports and camps to the parts not covered by the act. At length public opinion forced a repeal in 1886, for the United Kingdom, and in 1889 for Ceylon, Hong-Kong, and other outlying dominions.

Switzerland is rapidly abolishing the licensed houses. Belgium is moving in the same direction. As in France, where the experiment of registration has been in progress for ninety years, it is found that in spite of all the efforts of the police the number of licensed houses is bound to diminish, while the number of women who practice clandestine vice is as constantly increasing. Dr. Louis Fiaux, member of the municipal council, says: "Under the reign of Louis Philippe, 1843–7, in Paris alone, the number of registered houses fell from 193 to 177; under the republic of 1848–51, from 171 to 159; under the empire, 1851–60, counting Paris and its environs, from 219 to 194, in 1860–70, from 194 to 152; under the third republic, from 1872 to 1889, it fell from 142 to 62, and all this while the population was increasing, and many more soldiers were stationed at Paris than formerly."

This same diminution, not of victims but of public houses, is marked in other cities of France and Belgium, and indeed wherever regulation is in vogue. The police themselves have to confess it, though by withholding data they hamper the student of social science in obtaining the facts.

No American state or city legalizes the social evil. Partisans of regulation have at times made strong efforts to inaugurate such a system. In Nashville it was done during the occupancy of that city by Federal troops, simply as a military regulation. In New York City about twenty-five years ago an effort in this direction was made, and but for the non-concurrence of the governor of the state in the act passed by the Legislature, the experiment would have been tried. In San Francisco in 1871, an attempt made through the Legislature to legalize the evil was defeated, largely through the efforts of a woman, the wife of one of the members, who antagonized the proposition with a duplicate bill, which simply substituted the word "man" for "woman."

In St. Louis license was tried for four years and abandoned. Authority was conferred by a legislative trick, by which the words "or regulate" followed the word "suppress" in a new charter. A German official was sent to Europe to study registration as there carried out. Subsequently an ordinance was adopted dividing the city into six districts, with one medical examiner to each; the salaries ranged from $1,200 to $2,500. Each examiner had power to visit houses, to give sanitary directions and to examine women whenever he judged it necessary, also to order any who were diseased to a hospital. Each licensed woman paid $26.00 a year and each house an average of about $300. The result was an increase of thirty-four per cent in the number of brothels and of known prostitutes. There was also an undoubted increase of clandestive prostitution. And while the numer of diseased women under treatment the first year was 18 in 480, or $3\frac{3}{4}$ per cent; it rose two years later to 40 in 653, or over 6 per cent, thus showing an increase of risk even among those who were regularly inspected. Should this result prove general, and the whole machinery of registration and inspection

be found to result in no actual, comprehensive diminution of disease, a strong argument for that system will disappear.

In some cities of the United States, particularly in the far west, it has been the policy of the police authorities to corral this vice within certain lines and there to watch it. To such quarters criminals inevitably gravitate. Thieves are often caught in traps baited with prostitutes. Herein lies a secret of the detection of crime in all countries. In Cleveland, Ohio, during 1893, the municipal authorities adopted a plan, purely administrative, which subjected all prostitutes to a weekly examination and registration. Previous periodical raids, for revenue only, were dispensed with. In some cities a monthly "fine" is collected from each house, or inmate, or both, with or without the formality of an arrest and plea of guilty. It is said that this plan has more than once furnished the requisite funds for the payment of the school teachers in a given town. In one leading city of the West large numbers of such houses were owned by the mayor. In every city there is reason to suspect the complicity of some of the officers of the law with this crime. This has furnished the point to the weapons of the Reverend Dr. Parkhurst, of New York, in his public crusade. The conspicuous and wretched jumble into which all our dealings with the social evil have fallen, is partly due to the fact that these matters have been almost wholly left to those who were stupid, or vicious, or both. To claim, as many superficial observers do, that if it were not for this degraded class in our communities, decent women could not walk the streets in safety, is simply an example of a sententious saying which passes from mouth to mouth without the trouble of analysis, much less of reason. No man's passions grow less dominant by reason of their facile indulgence. Grant that in America pure manhood cannot protect pure womanhood, and you write our civilization a failure. If, indeed, the evil is necessary, so are its priestesses. How godlike, then, her self-abnegation who, for the good of her kind, leaves behind all that a modest woman holds dear, and takes part with the scum of the earth. The effect upon the youth of a knowledge that safe (?) means of illicit gratification are provided

by the state is to be considered. Even strict regulationists proscribe the vicinity of schools and colleges. Is it too much to believe that not only morals are adulterated by license, but that physical health must suffer more where the young men are lulled by fancied security to drink deeper at the polluted spring?

What kind of physicians does registration evolve? Any self-respecting doctor will cure disease, however caused, for that is his vocation; but to use his talents to furnish bad women certificates for the practice of vice is degrading, not only to the man, but to the profession and the whole community. It is clear that our medical colleges were not endowed for such an end. Yet should inspection, as a sanitary measure, prove its right to exist, it would seem only fair that no discrimination should be used, but that it be applied to men as well as women.

It will be said that codes of regulation can be enforced (which is denied), but that laws against the main evil are dead letters, no law having yet abolished prostitution in a single city. To this it is sufficient to reply that laws on any subject embody a higher ideal than a given community is ready to carry out. Vice, at any rate, is labeled and hung up to public execration. Legislation for vice and legislation against vice are by no means the same thing. During the Civil War it soon became necessary for Mr. Lincoln to recognize the fact of a southern army, with officers, prisoners, and flags of truce, but he never recognized the Southern Confederacy. That was what the country was fighting about.

The results of the most recent medical investigation and discovery, including valuable contributions in the present year, are causing physicians to revise their theories regarding the two prominent diseases which directly result from prostitution. While one is more fatal to the individual, the other, which has seemed to many of comparatively trifling moment, is seen to be productive of hopeless sterility. "Let young men know," says a learned practitioner, "that a single impure act may blast their hopes of fatherhood and render their future wives forever childless." And inspection is but an illusive barrier against this "minor" disease.

Can nothing practical, then, be done? Much. Let prudent people inform themselves and make their conclusions known to those in power. Divorce the police from politics and insist upon a higher standard for entrance upon the force. Punish the seducer of innocence by every legal method, including social ostracism. Have reformatories and support the good women who man them, then sentence young women who have gone astray to them, rather than to workhouses. Rescue the poor victims in the spirit of Jesus of Nazareth. Give hardened women cumulative sentences, if the law permits. Strive to elevate the self-respect and the wages of working women. Watch the young as they gather into the great cities, and be beforehand with the devil. Arrest the owners of brothels before you arrest the inmates; those have a stake in the community and may have shame; these have lost their shame. Begin with the young and educate them to avoid both vice and its consequences. It is an open question whether the confinement of houses of prostitution to a given quarter, as a temporary measure, is not the wise course, all things considered. But whatever plan may be adopted, after due deliberation, there should be a firm, comprehensive grasp on the part of our city governments, backed by the moral force of the community, and such legislation adopted and enforced as shall gradually, unceasingly, and surely reduce this vast evil to final obliteration in the good time to come.

J. W. WALTON.

SHOULD CAPITAL CRIMINALS BE TURNED OVER TO THE EXPERIMENTAL PHYSIOLOGIST?

BY J. S. PYLE, M. D.

IN RECENT years the subject of the *rightfulness* and *expediency* of capital punishment has occupied the minds of thinking people. In respect to the rightfulness society is divided. Some maintain that life is one of the inalienable rights of man; others that society has the right to require its forfeiture on the grounds of self-defense. Custom, however, sanctions the latter coupled with the object of expediency. The growing tendency, since punishment by death is required, is to lessen the moments of suffering and make the termination as little to be dreaded as possible, allowing the mind of the condemned to be occupied with contemplating the end and meeting the final tribunal. In this a great privilege is guaranteed. Up to the present no important and satisfactory change, in this direction, has been made or suggested. It is not likely that any change will be made without great opposition, for the mere acquaintance with the method, however barbarous and ill-adapted, is sufficient to silence any sentiment there is against it. Those who would be in favor of less severe measures will be met by an opposing faction arguing in support of the present on the grounds of its salutary effect.

There is no reason for believing that our resources for effecting a compromise are exhausted. It would appear proper that everything should be done to lessen the terror of present methods by the administration of anæsthetics, and I see no valid reason why, in lieu of this, experimental physiological research should not be authorized. The little knowledge that the majority of people possess on this point will result in calling out loud disapprobation; but this proves nothing, and every candid mind should be willing to surrender prejudice to reason and facts.

Besides, this subject has, in its favor, an economic side which would be of priceless value to psychological science and the world at large.

It is a surprise that so important a matter as this one should not receive attention. The restrictions placed upon the experimentalist at present make it impossible for us ever to know the *modus operandi* of the mental processes, and if this subject is ever made clear it will be by the inductive or experimental method. As man is the only animal that can transfer to others states of his own consciousness, it is plain that he must be the subject of our experimental study. Every person should be interested in the advancement and diffusion of knowledge; and of all things there is nothing that would be more acceptable to know than the seat of operations of the human mind. Our present knowledge of localized centers for certain processes related to the mind, has been picked up in a disconnected and hap-hazard manner through observation of pathological changes in the cerebral matter, and is very unsatisfactory; but establishes the fact that all mental conditions and processes have their seat and possibly their origin in the nervous matter of the cerebral hemispheres. Deductive reasoning, however, seems to point to the existence of a special intelligence higher than could possibly be produced from molecular change and united in such a way with functional processes as to give rise to a double-faced sentiency. Physiologists are inclined to doubt this and hold the biological view, that all mental states and changes are exclusively functional and indicate an elaborate arrangement of specified nerve centers, possessing various properties, which when linked together produce, through reciprocal action, that mental synthesis —the sum of all nerve processes—the ego, reflected as it were from a great mirror composed of nerve cells interacting, receiving impressions, reflecting and uniting them into one synthetic whole. Experimental study has been so fragmentary that nothing of a definite character has been determined; but it is possible, if liberal and frequent opportunities were secured, that this equivocal point could be satisfactorily settled.

Recent developments in psychial studies point to a revolution

in our ideas on the extent, capacity, and powers of the human mind; and eminent men who have given their time to this subject are very sanguine in establishing its indestructibility and continuance after the dissolution of the body. However near or far this is from a correct solution of the problem, it is certain that experimental work upon the seats of human consciousness will assist us materially in an exposition of the subject. No other method of study or investigation will ever penetrate the secret regions of cerebral action and disclose the capacity and functional limits of the phosphorized proteid matter constituting the cerebral nerve cells. Under the influence of stimulus, in the form of a mild electric current, the cells can be made to repeat their official work and reproduce in consciousness the direct result of their operations. From this it would appear possible, if a systematic course of topographical studies was conducted, to construct a model of the whole cerebral mass functionating. The region of the understanding could be examined, passions influenced, memory of forgotten things restored and, in a word, the whole realm of the conscious ego explored. This would establish a definite localization of centres of cerebration and possibly settle the much disputed question of an intelligence other than the ultimate product of nerve change.

It must be conceded that our power to seperate physical phenomena from any special agency cannot exceed the limits of pure supposition, but the proof of the existence of such an agency could likely be raised above the plane of bare possibility. Morphological study of the cerebral cells throws but little light on their functional properties, and with one exception their form does not even make it possible to conjecture upon their probable office. There is no reason to anticipate any great developments from this source of investigation; as the property of nerve cells is not dependent upon structural form but resides in the molecular constitution of the cells, and no amount of optical magnification will ever reveal their physiological significance. It is plain, if we are to make any great headway in such investigation, our inquiry must be addressed to consciousness. The ego must be interrogated and made to locate the operations of all its integral

parts. The stimulus will have to be applied when the individual subjected to the examination is in a perfectly lucid state of mind and an application need not be the least unpleasant. Our stimulus applied and the question addressed to the subject may be simultaneous or follow one another in successive order. At each application the ego will be able to tell the nature of the excitation it experiences and demonstrate to us the function of the cells stimulated. In this way by successive steps, the whole cerebral mass could be examined and the rôle that organic processes take in mental operations evolved.

Those who would be unfavorably impressed with this method of investigation should take kindly to the information that experiments of this kind on the brain are no more unpleasant to the subject than like impressions aroused during his sojourn in perfect liberty. There is every reason to believe that the stimulus in a large number of instances would be highly pleasing. If, for example, our subject experimented upon was a person who had been repeatedly animated by the ludicrous, upon touching the seat of such impressions the whole circumstance would be reproduced attended with the same vivacity as the original experience. Painful sensations would not be produced unless a certain nucleous of cells was stimulated, and this could be avoided after its exact location was ascertained. To secure coöperation and carry out the experiment successfully the condemned would be instructed with the nature of the work, assured that no torture would be instituted; that the preparation of removing a piece of the skull and cerebral membranes should take place when under the influence of an anæsthetic; and, while he would be allowed to regain consciousness to be interrogated, that no pain would be occasioned thereby; lastly, that his death should occur when in a profound sleep. This would, it would seem, remove the appearance of revenge and barbarity and convert such an occasion into one of real utility, both socially and scientifically.

As long as capital punishment is demanded, it would appear proper and right to authorize institutions, under certain regulations, to utilize the subjects so furnished for the greatest good to

humanity. In this way the same end would be reached, death would be less horrifying, and the intellectual horizon of society would be greatly extended. The improvement and social status that would be inaugurated could hardly be dreamed. Life, it would seem, would present a new aspect. Certainty would take the place of doubt; reforms would be set on foot, and a great social uprising would result. The influence of intellectual culture would be felt in every department of social thought, and its effect could not be overestimated. Mental diseases and cerebral localizations would be better understood; surgical affections of the brain operated upon with a more certain knowledge of success; psychial questions in reference to the extent, powers, and capacity of the human mind established; and medico-legal inquiry as to the responsibility of criminals placed upon a solid basis. Maturing our knowledge on these subjects must appeal to the reason of every right thinking person as indispensable. Those who object to the measures suggested stand in the way of progress and are ignorant of the principles that constitute and govern the human conscious mechanism. Morally, the work would have a beneficial effect upon society. It would be educational; and the spirit of revenge, so well illustrated by the present methods, would be rendered invisible and the case changed to one of pure necessity. Placing a criminal in the hands of physiologists to inflict an easy death-punishment by the administration of narcotics, is less revolting than the idea of the gallows or the electric chair. No one who is acquainted with the action of such drugs upon the cerebral functions, would hesitate to approve of the change; but the hyper-nervous element of society that never studies this class of subjects will be the first to offer opposition to any reform.

The question of adopting the views supported in this paper is one to be settled upon the true merits of the case. It was anticipated in the beginning that a large majority of the people would enter a protest, on account of their environments and culture having produced a condition of mind unfavorable for impartial judgment; and if we are to experience any resistance from this

source it must be charged to the want of biological and physiological knowledge. Every reformatory movement in the past has encountered a like experience, and, if history repeats itself, society will not relax to the spirit of progress until instruction and culture have paved the way. At this particular period the signs of the times betoken the inauguration of a new era of intellectual culture. We are upon its very threshold. The way is blocked with strong nervous predispositions, acquired through improper direction in the past, and it must be opened up. The emotional element will have to be eradicated and reason allowed to assert itself. Nothing has ever been accomplished in the way of progress by the emotive faculty and for our safe guidance only the understanding can be consulted. Review the records of the past and satisfy yourself as to the reliability of this statement.

Our present social status, in reference to our emotional tendencies, is sadly to be deprecated on account of their abnormal development. Those who take exceptions to this view of the subject should be asked to point out their good effect; when it will be our purpose to show that under the influence of strong emotions the understanding contracts, and for the want of a proper balance the nervous system is forced to discharge its energy, manifesting itself in the form of emotional or hysterical phenomena. Emotional manifestations, the result of remote diseases which excite the reflexes are not to be explained in this way. But it matters not from what source the emotions arise, whether normally or abnormally, the same bad effect is witnessed. The inference in this case is, that the two faculties are not kindred and that one cannot be exercised without doing so at the expense of the other. In a well-balanced mind the emotive faculty is under the direct control of the inhibitory power of the understanding and the verity of this statement is substantiated by adverting to the period of childhood, where a beautiful display of the emotions, unrestrained, can be seen. The understanding, which depends upon experience, has had but little opportunity to be evoked at this time of life; while the emotions, not depending upon experience but upon intuition,

present themselves whenever a sufficient occasion is at hand. As the understanding becomes enriched by a varied experience, its ascendency and inhibitory action are strikingly exhibited; but where the emotional manifestations are excessive and overpowering in one of mature years, it is easy to believe that they are of pathological origin, induced through an abnormal molecular change by an immoderate exercise of the emotional centers.

A properly developed mind is one that has all its constituent faculties strengthened by use in the order of their greatest importance. In consequence of this, subjects which are intended to interest the feelings should be given sparingly to the young, and time injuriously spent in this direction, bestowed upon disciplining the understanding. Emotions which are implanted in us need no special effort to develop, but, on the contrary, constant vigilance in order to keep them within the proper limits. Training the understanding is not so easy and requires arduous exertion to raise it above the influence of the emotive faculty. The amount of labor necessary to attain this end is too often the prime motive for neglecting the most essential features of an education. Subjects which engage both the understanding and the emotions should not be listed for mental exercise until the mind is prepared to separate the two elements and render a disinterested judgment. To understand is quite different from being aroused by emotions. Matter for thought is of two kinds—pure and mixed. The former is divorced of all the emotional element and is intended to excite the understanding only; the latter contains a subject which interests the understanding, and by contemplating it, calls out the emotions.

It is not necessary to engage in matters of thought to arouse the emotions. They may be aroused directly without contemplating a subject, as through the organs of special sense. The faculty of the will stands between the two just considered, determining the course of the mind's exercise. It, under most circumstances, submits to the influence of the understanding or emotions, but if it deems fit, can stand opposed to either and direct the exercise of the mind in a course entirely uninfluenced. Like the understanding, the will may be weakened by the pro-

longed and constant influence of the emotive faculty and, on the other hand, strengthened by the tonic effect resulting from an exercise of the understanding. Where the understanding is weak the will is weak and, as a consequence, the emotions are strong. The present nervous state of society is to be ascribed to an oversight of the true order of mental development, and if people may ever hope to get rid of a large class of nervous affections and be able to decide upon subjects of vital importance to both state and society, the root of the trouble must be sought and repressed. It may be charged that this paper does not attach any value to the emotions, and to avoid misapprehension and future reference this allegation will now be answered. The emotions are viewed as a necessary constituent of mental operations, but their complete subordination to the faculty of the understanding is held to be essential to a developed mind and the welfare of society.

Emotions are nothing more nor less than states of feeling influenced by the physical condition of the general system and have nothing to do with belief and the knowledge of *right* and *wrong* which can only spring from the convictions created by the exercise of the faculty of the understanding. From this it may be summed up, that emotions express only physical states; that they are the product of a faculty without which there would be no feeling or conscious existence; that they cannot take part in contemplating a subject; that they do not furnish the ground for belief; that they can influence the will and by undue exercise impoverish the understanding; that the influence of the emotions is not trustworthy; that they encourage nervous diseases and abnormal mental states. It will be seen that the course of mental operations, with especial reference to the influence of the emotions and exaggerated nervous states upon the understanding and the will, has been discussed at some length here; and it is hoped that the purpose will be effective in presenting to the reader a comprehensive view of the result of psychial operations under such circumstances, and its bearing upon the subject under consideration.

It is believed that from a gradual growth of the emotive

power, the minds constituting by far the larger part of society have been weakened and incapacitated for contemplating mixed subjects such as is discussed under the heading of this paper; and for this reason it is expected that a matter of so much vital importance as this one should be taken in hand by the state and presented to an intelligent body able to reason and render an unbiased decision. The points in favor of the measure proposed are so numerous and weighty that it will be impossible to offer a reasonable argument against it. If the opposing faction in defense of the present institution of capital punishment take refuge under the idea of a fancied inhumanity, it will be viewed in the light of this paper as evidence of the most profound ignorance of the subject and as the product of the emotive faculty. If, to escape from all that is emotional, objection is raised, based upon the negation of the *right* to the use of human subjects in experimental work, it will be incumbent upon those who hold this conviction to prove that no right to inflict death exists which viewed in the light of our present law is incontrovertible. The same reasoning which establishes the right to inflict death in any case, will also establish the right to inflict it by any method that might be thought most expedient and profitable. If it is further claimed that the new method would stupefy the higher sensibility and make society indifferent to the excitement of painful states, it will, upon examination, be found likewise untenable. That a modified form of stoicism would spring up through the instrumentality of a higher plane of psychological knowledge will be without hesitation conceded; and that this could possibly be other than salutary and beneficial both physically and intellectually there can be no room for a plausible doubt.

Again, if it should be asserted that the experimental investigations prolong the death-work it will be answered that the time thus consumed is not to be included or associated with that of the death-punishment, nor should it be connected with the idea of pain and a period of torture. This preliminary is purely a measure of expediency imposed in exchange for the use of narcotics to remove the dread in meeting the death-moment. Pain

in no instance need be caused unless, as stated before, a certain nucleous of cells should be irritated which could be avoided as soon as located. An anæsthetic will be administered in the preparatory work and for the execution. To examine every tenet one after another in this manner is unnecessary as the points already developed seem to be sufficient to prove that no rational objection can be established or entertained. The state would be doing its duty to take up this matter and make the new form of execution a recognized law. In this, crime would be punished, society protected and loss compensated. The outcome would be a very important one to criminal law as the manner of arriving at the grounds for requiring the death-punishment would be entirely changed and it is believed highly satisfactory. Death would be enforced as an obligatory measure. The criminal instead of dying the death of a felon would redress his offense to the state and society by offering himself as a public benefactor. He would stand to be tried as to whether he should pay society for the loss it had sustained and the state the expenses of a fair and impartial trial.

To make the change the state would require amendatory laws to legalize the new form of capital punishment; it should make provisions for successfully carrying out the experimental work. A building should be specially erected and every form of mechanical appliance provided for prosecuting psychial inquiry and studies of the general nervous system. A body of expert physiologists operating under the direction of one chosen by themselves should be appointed to carry out the commands of the state. Every person interested in scientific studies or physiological and psychial inquiry should be admitted to executions. Those that are to be admitted should be required to pass an examination before a board of examiners to show their eligibility for comprehending the work done. Those who are unqualified should not be admitted under any circumstance. The results of the experiments should be published in a report required of the body of physiologists at the conclusion of each execution.

J. S. PYLE.

WHAT THE AMERICAN CIVIL WAR HAS NOT DONE.

BY PROF. H. OLERICH.

PERHAPS all well-informed persons admit that chattel slavery was the cause of the American Civil War. All other questions that were incidentally drawn into the controversy were but secondary, and would likely have been treated as ordinary questions of politics. The animosity which caused the Civil War was created by the agitation of the slave question; and it is altogether probable that if slavery had not been introduced into the United States, the Civil War would not have occurred. The previous union of the southern with the northern states is evidence that a friendly feeling between them had once existed, and if no enmity had been created between them by the agitation of the slavery question, there would not have been a desire to secede; for no one desires to withdraw from a partnership that is harmonious and profitable.

The vast majority of the people of the northern states still seem to believe that the Civil War gave freedom to the colored people of the United States; but upon a closer and more impartial examination, I think it will be found that such is not the case. It is a well-known fact that nearly every resident of the North still justifies the war on the ground that it abolished chattel slavery in the United States. In this case, then, the public mind has sufficiently unfolded to see the injustice of chattel slavery; but it is still unable to see the futility and evil consequences of war. The fact which must be made clear, then, is that the Civil War was not the real cause but simply the agent that abolished chattel slavery; that the war was only an outward manifestation of an inward feeling which was the real force that gradually destroyed the bondage of the southern blacks. To prove this proposition is the object of this article.

Chattel slavery had its origin at an early period of the world's history out of the accident of capture in war. Savages put their captives to death, but the semi-civilized in place of massacring them found it more profitable to keep them as slaves.

By examining the records of history, we find that all our so-called highly civilized nations had chattel slavery at one time, but that none of them have it at the present day—all having abolished it. This we find they did on both continents. England abolished chattel slavery in 1834, France in 1848, the Dutch in 1863, Vermont in 1777, Massachusetts in 1780, New York in 1827, the United States in 1863, Brazil recently, etc.

Perhaps every advocate of the Civil War well knows that all of these states and nations did not find it necessary to engage in a civil war to abolish slavery within their boundaries. To begin with, this fact, then, establishes the truth that chattel slavery has been and can be abolished by other means than civil wars.

Chattel slavery is an inhuman institution, originating in a barbarous age, and civilization cannot look upon it with any degree of allowance. But all individuals, states, and nations, however, do not mature simultaneously for similar ethical conduct. The sentiment of respect for the rights of inferiors, which alone can really set slaves free, is a plant of slow growth but thrives best in localities where the conditions of intellectual culture are most favorable; where the utility of slave labor is least; where the fewest persons have property in slaves; and where conscience has been least calloused by seeing slaves constantly abused. By such environment the sentiment of the northern people was influenced on the slave question, while a contrary condition existed in the South. Thus, in low latitudes the conditions for intellectual culture are less favorable than in temperate latitudes. Slave labor can be utilized better in raising sugar cane and cotton in the South than for raising grain and live-stock in the North. In the South more persons had property in slaves than in the North. And the conscience of the southern people became more calloused by being reared among slaves and by continually seeing them abused. For these and other reasons, the southern people ripened slower and matured later

for the abolition of chattel slavery than the northern people.

Let us bear in mind here that *chattel* slavery is, however, not the *only* kind of slavery. Industrial, religious, and domestic slavery may, in some cases, be as repugnant as chattel slavery. The forced idler, the Hindoo woman who practices suttee, and the married woman who is ruled over by a tyrannical husband, are perhaps as much slaves as human chattels.

Chattel slavery was formally abolished in the United States January 1, 1863; but, on the succeeding day, the actual slavery was very likely greater than on the preceding day, for the emancipation provoked a greater enmity between the North and the South, and between the master and the slave, which made the condition of the penniless emancipated slave so critical that he was entirely at the mercy of his former master; and it is highly probable that a master who had a thousand dollars or more invested in a slave, and who was not yet ready for treating a slave as a political equal, would treat him as well, if not better, when a chattel slave, than he would when he had no property invested in him, and when he could employ more slaves than he wanted for a few cents per day.

The writer does not wish it understood that he is against the abolition of chattel slavery. *All* forms of slavery, whether chattel, industrial, religious, or domestic, should be abolished by the increasing intelligence of our race as soon as possible, but only thought can make the slave and master equals.

Jefferson, and other southerners as individuals, as well as the northern states, liberated their slaves before the Civil War began. A warm sympathy was thus created between Jefferson and his voluntarily liberated slaves. The emancipation, in such cases, came from the heart. In the South, where this heart was wanting at the time of the Civil War, conditions were just the opposite.

The point we must bring out conspicuously here is, that the institution of chattel slavery had already crumbled to pieces in nearly every civilized country before the United States began the agitation of its abolition, and this crumbling process was sweeping rapidly southward, as we can readily see by com-

paring the various times the northern states emancipated their slaves, and there is nothing to indicate that the southern people could long have avoided or disregarded that wave of mental and moral force which had changed the hearts and minds of the people of nearly every civilized nation of the earth in regard to chattel slavery. Every leading nation of the earth had set the example for the South to follow, and the psychical force which had prepared the hearts and minds of the masters and slaves in foreign countries and in the northern states for the emancipation of chattel slavery was slowly maturing the southern people for the same condition that had been brought about between master and slave of other countries and the northern two thirds of our own.

If the government of the United States had paid no attention to the secession of South Carolina and the other seceding states, letting them withdraw from the Union, if they so desired, and had stood ready to receive them again when they were ready to come back, the Civil War would doubtless have been avoided, and in a comparatively short time the mental and moral force which liberated slaves in other quarters of the world would have operated to the same extent on the southern people, and they would voluntarily have renewed their allegiance to the Union. To deny this is to deny the uniformity of Nature and the universality of her laws. To assume that she would have made an exception as to this little nook of the southern states, when she had done, or has since done, her work effectually in all other portions of the civilized world, is arrant nonsense.

Judging the southern states by the world at large, the only standard we can apply, as soon as they would have become mentally matured for emancipation, they would have set their slaves free and asked for readmission, if they had not found a better government of their own; and if they had found something better, they were entitled to enjoy it. Slavery was the fundamental point of disagreement between the North and the South, and this caused the feeling that led to secession; therefore, just in proportion as the South saw fit to abolish slavery, the enmity would have been removed, and, when slavery

was entirely abolished, harmony would have been restored—for that which had caused the discord would have ceased to exist.

In order to make the foregoing principles more clear and forcible let us apply them to practical life.

A runaway boy who is forcibly brought back by an officer will do no good at home. He does not add anything desirable to that home where he is forcibly prevented from running away again. He would rather see it torn down than built up. There is an enmity, under the circumstances, which makes such a home unpleasant for all. The boy's conduct would, however, be vastly different if he found by living with strangers that he had made a mistake in leaving his home. After discovering his mistake, he would come back and ask to be readmitted as a member of the family. He would now have different feelings toward his home. He would try to add to the pleasure and comfort of its members instead of doing all in his power to annoy and destroy as before, when he was kept there against his will.

As with the boy and his family, so it is with the North and the South. The South ran away and the North brought her back by force. They have been fighting and quarreling ever since. Thus we see that the war created lasting enmity: First, between the North and the South, because the southern states were deprived of the privilege to secede; a right which they claimed to have according to their interpretation of the Constitution, and a similar right to which we tacitly consent in all our practical business transactions; for every one who enters into a business compact with others, either avowedly or tacitly agrees that any partner of the firm can withdraw at any time he desires. This principle is recognized in divorce from the marriage relation, for, though this contract is entered into as a life compact yet good policy and good sense declare that a separation is infinitely to be preferred to a life of continuous turmoil and contention. Secondly, the war created an enmity between the master and the slave, for it compelled the master to abolish chattel slavery at a time when he was not yet mentally and morally matured for it.

This state of affairs made the condition of the homeless slave in the South almost unbearable. The emancipated slaves were

without homes, money, or food, and almost without clothing. They were surrounded by enemies who were willing to do all they could to make emancipation a failure as those unfriendly to emancipation had predicted it would be. Chattel slavery was changed into other forms of slavery which were for a time, at least, undoubtedly worse. While if the southern slaves had been liberated voluntarily as were those of Jefferson and the northern states, there would have been a warm, friendly feeling created, both between the North and the South, and between the master and the slave. The quarreling and fighting which resulted from the meddling conduct of the contending parties have already lasted over forty years. This useless and deplorable contest cost more than a million lives and billions of dollars. It made wives widows, children orphans, sound men cripples, and strong men diseased. It also invigorated the old barbaric idea that *war*, instead of *thought*, leads to liberty and happiness. It revived the savage feeling of revenge in a large number of otherwise noble men and women. If both parties in the conflict of the war had acted sensibly and patriotically, all these calamities would have been avoided. Instead of carnage and destruction, friendship, prosperity and freedom would have filled the land.

Among savages, war is the rule and peace the exception; while among highly civilized nations and individuals, peace is the rule and war the exception. Thus we see that the whole matter rests on the degree of *intelligence*; on how much we know. We are the sports of our education, heredity, and environment, and must, therefore, always act as we are impressed by them. If we had all known that war cannot really set slaves free, that true freedom is born in *thought* which slowly unfolds the equitable sentiments, war with gun and bayonet would not have occurred.

Had those northern people who felt like urging the maturation of the South on the slave question faster than would result from the natural growth of sentiment, sent into the South half a million of the best and most competent men and women, not with sword and cannon, but with a friendly desire of assisting

by educating and enlightening the development of those sentiments which alone can destroy slavery, they would soon have held sway from Mason and Dixon's line to the Gulf. The North would then have accomplished a proud achievement upon which all future generations could have looked with admiration; but the course which they did take will, in a few generations, look as futile and cruel to our posterity as now do the acts of the Spanish Inquisition to us.

The writer does not sympathize more with one side than with the other. Both, no doubt, lived up to the best light of that time. Their honesty and sincerity cannot be questioned, when we consider the hardships and privations which each bore in defense of what it believed to be the right.

No one who is not intensely sincere will bear so much in defense of his cause. The truth is that both the North and the South made a grievous mistake and the noblest thing to do when mistakes have been made is to acknowledge the unpleasant fact and profit by the experience.

If the evil consequences of that ill-advised struggle will so impress our good people with the horrors and uselessness of cruel war, the lessons so dearly taught by that struggle will not have been learned in vain.

HENRY OLERICH.

OUR UNDERPAID OFFICIALS.

BY CHARLES ROBINSON.

PUBLIC opinion seems to have at last awakened to the fact that the pay of our diplomatic representatives abroad is wholly inadequate, and there seems to be a prevailing sentiment in favor of a large increase in their salaries. It has long been notorious that the salaries attached to these offices were entirely insufficient, and this has become still more apparent now that some of our ministers have become ambassadors. If our representatives abroad are to occupy such a conspicuous position, it becomes incumbent upon us to furnish them the means of occupying it worthily. To demand that our ambassador shall maintain his place in London or Paris or Berlin on a sum that will hardly pay his rent is absurd. There is no reason why our ambassadors should be kept on short commons. We can afford to pay them, and certainly no American desires to see the representative of his country living in style inferior to the representatives of other powers.

Mr. John Bigelow recently declared that "It would be impossible to maintain the state expected of an ambassador, and especially an ambassador representing a wealthy country like the United States, upon less than twice the salary paid at present." Commenting on this remark, one of the leading western dailies says: "We are now told that our new ambassadors must have increased pay to sustain their increased dignity. If they feel as if they can not stand so much dignity on such small wages, let them retrench on dignity." Such an argument is unjust to the gentlemen who represent our government at London, at Paris, and at Berlin. The new grade carries with it increased expenses, properly chargeable to the nation, not to the individual acting as the nation's representative; and these increased

expenses must be paid either from the United States treasury or from the private purse of the ambassador. Unless the salary attached to the office of our ambassadors is doubled by the next diplomatic appropriation bill, nobody but a very rich man can afford to accept such a position. No doubt rich men can be found in plenty who are willing to go out as ambassadors and maintain themselves at their own expense, but the question is whether it is to be the policy of this government to represent itself abroad by mere moneybags, and to deprive itself hereafter of the services of men of Mr. Bayard's stamp. It has been urged that the salary paid to the gentlemen who represent the United States in capitals where ceremony is as expensive as in London, Paris, and Berlin, ought to be doubled in each case.

Even this amount—$35,000—would be too low. Fifty thousand dollars is little enough to support the establishment of an American ambassador abroad. Even then it will be inadequate rather than excessive. Although there are doubtless some persons who think that such an increase of salary will simply be encouraging our embassadors to cut a swell and make a splurge merely for the gratification of personal or natural vanity, nothing could be further from the truth. There will be no money in the office for any man with a proper sense of the dignity of his position, and a patriotic desire to support it worthily. The salary at present attached to the office at London is barely enough to meet the simplest necessary expenses of the incumbent. The present quarters of the American Embassy in the British capital are small and dingy. Not one of the little South American republics is so poorly provided for. An ambassador housed amid such surroundings is a national discredit. Shabby gentility and diplomacy do not go together. It is an open secret that Mr. Lincoln came very near resigning the English mission after serving but a short time, because he was unable to live in a manner fitting his station. It is discrediting that the American representatives at foreign courts are not able to keep up with the ambassadors of other nations. Mr. William Walter Phelps, who recently returned to the United States after four years diplomatic service abroad, speaking on this subject said: "An ambassador

from the United States should have an income large enough to enable him to live in the manner in which ambassadors from other countries are supported." M. Waddington, recently French ambassador to England, had a salary of $60,000 per annum, which, large as it was, did not nearly cover the cost of the receptions and dinners he gave. Sir Julian Pauncefote, the British ambassador at Washington gets $30,000 a year and a house free. So again, the British ambassador to France received $45,000 salary and an allowance for expenses. Our ambassador at the French capital is expected to keep pace with him on $17,500 a year. This is the highest pay received by any of our representatives abroad. To the intelligent representative of Nebraska or Arkansas this seems, no doubt, ample. Such a salary is there regarded as wealth beyond the dreams of avarice. It is believed that an American minister lives in luxury and splendor during four years, and retires with savings which make a comfortable provision for his old age. The fact is, however, that none of our representatives holding first-class missions can live or do live on their salaries. A single official entertainment makes a big hole in the salary. It is well known that Mr. Whitelaw Reid, when minister to France, was compelled to draw heavily upon his private fortune in order to support the dignity of the post, and to meet its official requirements. Indeed, an appointment to any of the four first-class missions in Europe has always been regarded as a costly honor. Custom and social precedent involve an expenditure at London, Paris, Berlin and St. Petersburg of from $25,000 to $30,000 a year. Indeed, some of our ministers who were able to do so are reputed to have expended as much as $100,000 a year.

Indeed, there is not the slightest doubt in any well-informed mind concerning the propriety of a large increase of salaries all along the line, at home as well as abroad. Although the United States government is liberal and even spendthrift in many particulars, yet the fact remains that the salaries paid to our officials from the highest down to the lowest are wholly inadequate, as will be shown by a comparison with the pay received by public servants here and abroad. The beggarly pittance of $50,000

paid to our chief magistrate is a national disgrace. As a rule our presidents find themselves at the end of their terms with nothing saved for their declining years. It is no argument to say that there are hosts of candidates for the position. It is unbecoming for a great nation to pinch the salaries of its high officials, nor do the people desire it. The salary of the president of France is four times that of our president. He receives 600,000 francs a year, with a further allowance of 600,000 francs for expenses. This is as it should be. Even the lord lieutenant of Ireland gets double the pay of our president.

There undoubtedly are some officeholders in the United States who receive more than they earn, but the majority of them are insufficiently remunerated, and the persistent attempts on the part of the government to secure services for less than they are worth are certain to end in a loss to the public reputation. The result of our parsimony in this respect is to give a monopoly of the higher offices to rich men. No poor man can afford to accept them. Is this an expression of the true spirit of democracy? It is little short of scandalous that such a man as Senator Carlisle should have had to hesitate before accepting a cabinet portfolio owing to the small pay attached to the office. Our cabinet officers receive only $8,000 a year. Their salary was fixed at this figure many years ago, when money went much further than it does to-day. To-day it is out of all proportion. The exactions of society have increased tenfold. A cabinet minister to live in style befitting his position, must pay at least $6,000 a year rent for his house. He is, of course, expected to entertain and to keep up appearances. In short he is expected to live at the rate of $20,000 a year, or as much above that figure as he can afford. His salary is only about enough to meet one quarter of his expenses. The rest they must furnish out of their own private resources or else run into debt for it. Ex-Secretary Tracy says that his cabinet life cost him about $30,000 a year, over and above his salary. In short, our cabinet ministers must be willing to pay roundly for the honor of being appointed to attend to the public business. For this reason only a rich man can afford to be a cabinet officer, and, as a rule, our rich men

are not our best men. As a matter of fact, most of the best talent, as well as the staunchest integrity is to be found among men of small means. The consensus of opinion seems to be overwhelming that the pay of our cabinet ministers should be largely increased, and it is to be hoped that when Congress comes to deal with the subject it will show a generous disposition. The English secretaries of state get $25,000 a year each, and, after serving five years, are entitled to a pension of $10,000 a year for life. Indeed many of the under-secretaries and clerks in the English departments receive larger salaries than our cabinet officers. During the last session of Congress a bill was passed cutting down the salaries of the assistant secretaries from $4,500 to $3,500. This is certainly a move in the wrong direction. So again, while our attorney and solicitor-general only get $8,000 and $7,000 salary respectively, the English law officers of the same rank receive $35,000 and $30,000 a year, and until this year were permitted to continue their private practice. Under pressure from Mr. Gladstone, however, they have relinquished that privilege, but they still receive in addition to the salary, fees for contentious business. These amounted in 1886-1887 to $25,000 for the attorney-general and $12,500 for the solicitor-general. The income of the attorney-general is, therefore, at least $60,000 a year for his public duties only, plus such amounts as are gleaned from practice before the House of Lords and the Privy Council, where fees are paid on the highest scale. Moreover, the fees paid for public business are to be increased so that the total public income of the attorney-general will be about $75,000 a year. Yet even with so liberal a remuneration the present attorney-general, Sir Charles Russell, is a loser by holding the office. His income at the bar considerably exceeded what he now receives. Why should such a sacrifice be expected from him, or from any of our leading lawyers.

Gossips in legal circles in Boston say that the practice of Attorney-General Olney is worth at least $50,000 a year. It will be seen, therefore, that he did not enter the cabinet without making a considerable pecuniary sacrifice. Our cabinet ministers are nearly all lawyers, and they are of course obliged to relinquish

their private practice during their terms of office. It is difficult for this reason to induce a lawyer of national reputation to accept the attorney-generalship. Lawyers who are making $50,000 a year cannot be expected, as a rule, to accept $8,000, for four years, with a fair chance of finding themselves clientless at the end of that period.

The salaries paid to these gentlemen should be increased so as to make the amount of their private practice good to them with something additional by way of a pension for the loss they necessarily incur during their tenure of office by their partial absence from the forensic arena. If a generous provision of this kind were enacted the result would be highly beneficial. We ought to have the best men available for our public officials, and in order to get them we must make their offices sufficiently attractive. But if the government persists in a policy of thrift, it will have to be content with the services of second-rate men.

The small salaries paid to the judges of even our highest courts preclude the leaders of the bar from accepting judicial appointments. More than one prominent lawyer, during the last few years, has declined a nomination to the United States Supreme Court on the ground that "he could not afford to accept it." Imagine Mr. Choate, Mr. Parsons, or Mr. Coudert, throwing up their private practice for a judgeship with a salary about equal to that paid to some of their own clerks!

The judges of the United States Supreme Court receive but $10,000 a year, while the salary of the chief justice of the United States, our highest judicial officer, is only $10,500. Not long since, it was rumored that Chief Justice Fuller intended resigning in order to accept the position of counsel to an Illinois railroad company, at a salary which would enable him to leave something to his family in the event of his death. The possibility of such a rumor being true is a national disgrace. The salary of the lord chief justice of England is $40,000 a year, while the lord chancellor receives $50,000 a year while in office and a pension of $25,000 for life. The lords of appeal receive $30,000 a year, and all the other judges get $25,000. No matter how high a position a man attains at the English bar, his

ultimate ambition is a seat on the bench. What a change would come over the judiciary if the leaders of our bar could only be induced and encouraged to accept office! This can only be done by a liberal increase in the salaries now paid to our judges.

It is the same story all through the "bluebook." The United States commissioner of education only gets $3,000 a year. In England the same officer receives $10,000. Our patent commissioner gets $2,500 a year less than the English commissioner, whose province is so much smaller. The commander-in-chief of the British army gets $33,000 a year; the general commanding the United States army receives nothing in addition to his salary as major-general, which is only $7,500. So again, a rear admiral in England receives $13,600; with us he gets $6,000 when at sea and $5,000 when on shore duty. The speaker of the House of Commons gets $25,000 a year and a house free; the deputy speaker gets $12,500, and the clerk of the house gets $10,000, while the clerk of the House of Lords gets $15,000. The secretary of our Senate, which is the equivalent position here, receives but $6,000, and the clerk of the House of Representatives gets $5,000. The speaker and the president *pro tem* of the United States Senate get the same as the vice-president, $8,000, which is only $3,000 in addition to their salaries.

If the class of men who make up the Senate were to turn their talents in other directions they could easily average a salary of twice $5,000. A great many bank presidents are paid salaries of $15,000, and upwards. The president of a leading New York insurance company did receive $75,000, and at least one railroad president is paid $50,000. Railroad superintendents are paid from $10,000 to $15,000, and the managers of great business concerns receive similar salaries.

In 1873 an act was passed increasing the salaries of congressmen to $7,500 a year, but it was subsequently repealed and their pay again reduced to $5,000. As if this sum were not already too small by several figures, a bill was introduced during the last session of Congress cutting down the salaries of representatives one half. Fortunately it did not pass. If our congressmen are to receive any salary, they should be sufficiently well



all along the line; that is, of course, United States desire to make public rich.

OUR PUBLIC SCHOOLS—THE NATION'S SAFEGUARD.

BY MABEL CRONISE JONES.

THE inherent and vital necessity for a system of free public schools, especially in a democracy, is so universally acknowledged that an attack upon it is almost incomprehensible. Objections may, occasionally, be urged against certain methods in vogue, but it is seldom, indeed, that the public schools, as a whole, are pronounced worthless and unnecessary.

No institution could be radically wrong and yet receive the cordial countenance of nearly sixty millions of intelligent souls. This country, as a whole, glories in its free educational system; the malcontents are very few in number, and their dissatisfaction arises either from religious ideas or from some personal grievance, often imaginary. If the fundamental principle of our schools were wrong the fabric would have fallen long since, crushed to the earth by its own weight. Instead, it has gained in influence, power, and scope with each succeeding year. A corrupt tree cannot bring forth good fruit, and an evil system cannot rear for this country the legion of intelligent, upright boys and girls that yearly pass from under the fostering and benignant influence of the public schools. Almost countless reasons could be cited as to why the system of schools as now established is essential to the integrity and well-being of this nation.

A few of these reasons, only, I will endeavor to enumerate as briefly as possible. The writer on the "Free School System" in the October issue of this journal, asserts that the community which supports free public schools in order to avert the menace of illiteracy, ought, for more cogent reasons, to feed and clothe and shelter the poor also. That is, she holds that education should be paid for by each individual and that the state

should not discriminate in its beneficence to the poorer classes—if it gives them intellectual pabulum free, it should also provide bodily raiment and bodily sustenance.

The cases are not analogous in the least. The grandest feature of our schools is their perfect democracy. The children of the rich and poor meet together on a plane of perfect social equality. The poor are aided not one atom more than are the rich. It is not charity which the state extends. It gives to its youth that knowledge which it holds to be the inalienable right of all. It does not give freely to the poor and exact tuition from the wealthy. Such a course would overthrow the system in a year. To clothe, feed, and shelter the poor who will soon be capable of earning their own livelihood, would be to make class distinctions; to favor one set of youths more than another; to give privileges to the poor that are withheld from the wealthy. Above all, such a course would make this country a nation of paupers, with no ambition, self-respect, or manliness. To give a free education, however, to both rich and poor is another matter entirely. The two causes differ so widely that no comparison sufficiently strong can be instituted between them. For the very poor, who are also physically disabled, there are hundreds of philanthropic institutions in each commonwealth ready to bestow shelter and food. The youth who is the son of poverty, but who has physical strength and energy, finds in the public school system his best equipment for life. His powers are developed, both physically and mentally; his latent talents and inclinations are brought to the surface. He respects himself more when he finds that he can outshine the millionaire's son on the playground or in the recitation room. His pride is aroused by the very contact with superior wealth and social standing. He is stimulated to exert his utmost efforts in order to prove that he is at least the mental equal of those whose clothing is richer than his own.

Were our public schools for the poor only, they would be a dismal failure. Honorable rivalry between those of different stations in life would be destroyed. All thought would run in one groove. The schools would be monotonous, irksome, un-

fruitful. Those who have ever visited the so-called "public" schools of England can appreciate this fact. The well-to-do and wealthy classes never send to them. Neither, of course, do the *very* poor—for England does not compel her street gamins, bright as they are, to learn anything save what they elect to learn. Therefore they shun the school rooms and content themselves with daily lessons in vice. The public school pupils of England are from a very common stock; they are slow, almost to stupidity. They come in contact only with those of their own class in life. There is nothing to sharpen their wits, arouse their pride, stimulate their energy, and to fire them with ambition. The public schools of England are for one class only, and they are a most lamentable failure. They are drearily monotonous and mentally dead. They do not assimilate new ideas or develop new thought. They accomplish nothing save a little of routine teaching.

With us, the intellectual knowledge acquired is not by any means the full education given by the public schools. The rich boy finds that his father's money cannot learn his lessons for him; he finds that he must work his own way in the classroom; for the public schools, unlike the social world, are absolutely without respect to person; the rich lad cannot *buy* a higher grade than is won by the son of his father's coachman. His teacher is not in a private school. She is impartial and unprejudiced. She stands as the embodiment of abstract justice, and the scion of wealth who desires her favor must labor with all his strength to win it. It is well for him to learn early in life that money cannot buy everything in this world, and that "all men are by nature created free and equal."

It is well for him to learn a lesson of humility, which no private, pampering school would ever teach him. It will be more important in his after-life than all of his knowledge of Euclid. It is well for the poor pupils, too, be they boys or girls, to realize that they can make something of themselves, and that brains and brawn in this nation count for as much as dollars and cents.

The writer of the article just mentioned declares that dangers

may arise from educating the masses, as great as the dangers of illiteracy. What they may be, however, she fails to designate, and the history of centuries disproves her assertion. The higher the degree of education in any country, the lower is the percentage of crime. More than this, too, those states in this nation (notably some of the New England States) having the most effective laws for compulsory education, have, also, the very lowest percentage of criminals, according to population, of any states in the Union. Ignorance is the mother of theft, anarchy, murder, savagery, brutality, and all crimes. The history of the world from the time of the Pharaohs has proved this. In the days when only the priestly class could read, murder was a crime so common as to occasion no more than passing comment. In the hands of the knights rested absolute power, and this power was used too often to torture, to bleed, to wound, and to kill. Ignorance knew no redress. The masses writhed but submitted. Then came the invention of printing and the wider diffusion of knowledge. The people roused from lethargy; they seized their rights and maintained them. The horrors of the Middle Ages passed away forever in civilized countries—*because* knowledge was emancipation.

There cannot be a greater curse to a state or a nation than an illiterate population. In this country, above all others, the people should be educated and intelligent. They are too potent a factor in the muncipal, state, and national governments for their ignorance not to be productive of most disastrous consequences. They in fact make the government. For half a century now, there has poured into this country a flood of migration that is a source of terrible menace to the safety of our government and the perpetuity of our institutions. If the hordes of Poles, Hungarians, Bohemians, Bavarians, and Italians who come to us were educated, no danger would exist. We should have a population capable of investigation, able to understand our laws and methods, and to vote intelligently upon the issues of the day. Such a class, however, does not come to us. We have the ignorant sent us, and their presence here is a harbinger of ill.

Eminent statesmen have long since declared that compulsory education, alone, can cope with this formidable evil. That is, education, and education in our free public schools, is our best defense against the perils of immigration. That these foreigners protest against enforced education is no reason why compulsory educational laws should not be passed. The ignorance that cannot recognize its own depths of degradation is the most abject ignorance in the world. Our public school system must be of inestimable value when learned men depend upon it for salvation from the most tremendous evil that ever threatened this country. Their trust is well founded. In the public schools the alien will learn the English language which otherwise he might never have acquired. He will gain not only some practical knowledge of the three R's, but he will also be instructed in the science of government and in sound morals. Lessons of morality, honor, and truthfulness are inculcated in all the schools to-day, and are no unimportant part in the education of the youth.

If these alien lads were not in school, they would perforce be on the streets acquiring knowledge of evil to which the laws of heredity already incline them. The majority of the states now forbid the employment of children under the age of thirteen. If a boy be in school until that age, he can, in seven years of his school life, be inoculated with veneration for virtue and distaste for vice. Are the public schools of no use when they can wrestle with the gigantic problem of immigration? When they can turn dwarfed minds and stunted souls to light and truth? When they can transform a dangerous class into law fearing citizens? It is hardly possible to overestimate the influence exerted by our system of public schools. It makes itself a power for good in the hovels of the alley and in the crowded tenement, as well as in the cottages of the well-to-do, and the mansions of the wealthy. Its influence everywhere is beneficent and uplifting.

The writer again asserts that "the public school system is lifted above the necessity for constant development of new excellences; it may foster barbaric methods—it must of necessity be ponderous, unwieldy, slow moving"—"it gives the children

one uniform, monotonous routine of study regardless of characteristic tastes," etc., etc., etc.

No person familiar with the daily workings of the schools in this country would venture such declarations, for, in truth, the educators of this land are ever on the alert for new methods and new ideas. Manual training principles are now being introduced widely into the various schools, and kindergarten instruction is rapidly following. What ever is new and good and wholesome will be assimilated. The schools do not sleep! They are not "ponderous." Every school room is alive with the individual characteristics of the teachers and pupils to be found there. It is essential that all pupils should learn to read, to write, to add, to subtract, but as the higher grades of school are reached, a variety of studies is placed before the student and he is at liberty to select what best suits his individual fancy. There is no enforced "uniformity." No two towns pursue exactly the same methods. The same end is in view in each case, but it is attained by different routes. It is strange to read such aspersions on our schools when one reflects that the most brilliant minds of this country, were once proud to wear the title of pedagogue. Our most versatile presidents, our most eloquent judges, our ablest divines and our most brilliant senators have been teachers, and are proud to record the fact. The schools command the best brains and the best talent. The men and the women who may be found to-day in the school room, are the intellectual peers of any in the country. Our scholastic system is awake and progressive. Errors creep in occasionally, as well as inferior methods, for the schools are not superhuman. Their excellence and worth, however, as a whole, will not be questioned by anyone familiar with their workings. The writer however urges as the "basic objection" to the public schools, the fact that all persons, whether advocates of the system or not, are forced by means of taxation to contribute for their support. Inferentially, the writer objects to all taxation and regrets that it is not possible to escape this device for the maintenance of government, if one would live in a habitable part of the globe.

If a person objects to the advantages of civilized life, there are plenty of places to be found in this country even where he may live an unrestricted life and escape any taxation, save possibly a very infinitesimal amount. If a person places himself under the protection of municipal law, he must, for the protection and security thus afforded him, bear his legitimate portion of expenses. The agreement is no less real and binding because it is tacit.

The man may not approve of jails, of paved streets, of parks or of schools, but he must contribute to the support of them all; to the maintenance of reformatories, parks, paved streets and so forth, as well as to the support of the school system, if he wishes to enjoy the benefits of lighted streets, theaters, lectures, police protection, rapid transit and the thousand and one other luxuries afforded by a populous region. It is a fair exchange. No means are used to compel a person to live in a city. If he does not wish to seek a desert island in order to escape the burdens of taxation, he can at least locate in the unsettled regions of the west or in some rural district in which the burden of taxation is reduced to a minimun. No one is compelled to accept the benefits of public libraries, free museums, art galleries and schools, unless he so elect.

If man submitted only to decisions coinciding with his personal preference, there would be a disastrous revolution in this country at the close of each presidential campaign. The result, be it what it may, is unsatisfactory to nearly fifty per cent of the population. Yet the result is accepted unquestioningly, and the victor is president, not of his own party alone, but of this entire country in all its physical and intellectual grandeur.

As long as the public school system receives the endorsement, as it now does, of the great majority, so long will it be a national institution to which we can point with pride and veneration.

It is no mere figure of rhetoric that the commencement orator uses, when he eulogizes the free school system as the bulwark of our government. He states a solemn truth, which as time passes will become but more clearly proved to each unbiased mind.

MABEL CRONISE JONES.

THE GRADUATED INCOME TAX.

BY JOHN J. O'NEILL.

THE people of the United States in the congressional election of 1890 and the presidential election of 1892 declared overwhelmingly in favor of a radical reduction of tariff taxes.

Their decree must be obeyed; but when we come to consider the ways and means of carrying it out we are brought face to face with a state of things which must be provided for before we are in a position to place in operation any scheme of general tax reduction.

The treasury of the United States is almost empty. It is unnecessary to discuss the question of the responsibility for this condition of affairs. We know that it exists, and the only point to be considered is as to the remedy which should be applied. In the language of the present chief executive of the nation, uttered when a problem quite as intricate and important as that which is now before us was submitted to the country for decision, "It is a condition that confronts us, not a theory."

On the one hand, we have the positive declaration of the people of the United States, expressed in two congressional elections, that the tariff must be radically reformed; on the other, we have a condition of things which renders it necessary that before the reform which the people have demanded can be carried into effect, some method of taxation must be devised which will make up for the loss of revenues which the revision of the tariff laws will entail.

A form of tax which commends itself strongly to thinking people, and which is rapidly growing in popular favor, is that which is intended to be imposed on large incomes and which varies according to the amount of income taxed. This is known as the graded or graduated income tax.

The principle on which the imposition of an income tax is based is that laid down by Adam Smith, that "the subjects of every state ought to contribute toward the support of government as nearly as possible in proportion to their respective abilities, that is, in proportion to the revenue which they respectively enjoy under the protection of the state."

The justice and fairness of this doctrine are so apparent as hardly to be open to argument. No one can question the equity of a law which results in placing the burden of taxation on the backs of those who are best able to bear it and who receive the greatest amount of benefit and protection at the hands of the state; and these are the persons who would be reached by means of an income tax, for it is intended to impose this tax only on incomes exceeding a certain amount, which amount shall be sufficiently large to practically exempt from taxation all persons possessing only a small or even a moderate income.

As stated before, such a tax, if imposed, would be graded in proportion to the amount of income. A tax of one per cent might be imposed on incomes of, let us say, ten thousand dollars, the rate of tax increasing as the amount of income taxed grows larger, until an income of one hundred thousand dollars would be subject to a tax of ten per cent.

Such a system as this would be eminently just and proper. The man who enjoys an annual income of one hundred thousand dollars can pay for the purposes of the state ten thousand dollars out of that income without experiencing the smallest measure of hardship, as a result of being compelled to pay such tax. Such could not be said, however, of the individual with one thousand dollars per year, were he called upon to yield one hundred dollars therefrom for purposes of taxation.

One of the principal arguments advanced by the opponents of this tax is based on its alleged impracticability. In order to refute this claim it is only necessary to point to the experience of the past in this regard.

In the United States a law imposing an income tax went into effect July 1, 1862, and continued in force until December 31, 1871, when it expired by limitation. The rate of tax varied at

different times during this period. At the beginning it was placed at three per cent on incomes over eight hundred dollars, at which rate the sum of twenty millions of dollars was raised in 1864. In 1865 thirty-two million dollars was raised. In 1866 the tax rate was increased to five per cent on sums over six hundred dollars and less than five thousand dollars, and ten per cent on incomes in excess of the latter amount. As a result of this increase of rate over seventy two millions of dollars was raised during that year. This amount was collected from the following sources:

Dividends of banks	$ 4,240,664
" " insurance companies	783,882
" " railroad companies	3,461,769
Canal and turnpike companies	230,567
Salaries of officers of national government	3,717,396
Account of all other incomes exceeding $600 and under $5,000, at 5 per cent	26,046,760
Incomes of $5,000 and over, at 10 per cent	34,501,126
Total amount collected	$ 72,982,164

This was the greatest amount received in any one year during the period in which this law was in operation, but the payments continued good until the end of the period, the total amount collected in the nine and a half years during which the tax was levied being upwards of three hundred and fifty millions of dollars.

When we bear in mind the fact that during a large portion of this time a civil war was raging and business and financial affairs generally were in a state of extreme disquietude, we cannot fail to marvel at the amount raised by means of this tax. There can be no doubt that if imposed at the present time the income tax would yield a revenue very far in excess of that derived from it thirty years ago.

In Great Britain, with a population of only about thirty-five millions, about eighty million dollars was collected in 1888 by means of an income tax law, the rate at that time being eight pence on the pound. At the rate of six pence per pound it is estimated that seventy five million dollars will be collected during the present fiscal year. This tax is levied only on incomes exceeding one hundred and fifty pounds. It was first imposed

over a hundred years ago. On an average one fifth of the revenues of the government are derived from this source.

In Italy, France, and Germany experience with this form of tax has led to its permanent adoption. In the last mentioned country the experience of Prussia, as given by Dr. Barth, of Berlin, is that the tax "had been introduced recently in Prussia and was working well in every particular, as the tax affected only those fortunes well able to bear it." Dr. Barth advocates its adoption to meet the extra expense of increasing the German army.

Other instances might be cited, but enough has been shown, in my opinion, to demonstrate that the argument against this tax based on its alleged impracticability rests on an insecure foundation.

Another allegation frequently brought forward against the income tax is that it involves an impertinent prying into the private affairs of the citizen and would necessitate a spy system.

It would be difficult indeed to conceive of a state of affairs in which spying and impertinent scrutiny of the private concerns of citizens could be carried to a greater extent than in our present tariff and internal revenue systems. The operation of the customs laws proceeds on the theory that all importers are probably seeking to defraud the government. They are required to furnish details as to the cost, place of manufacture, etc., of every article imported. The baggage of travelers arriving on our shores, and even their persons, are subject to the scrutiny of customs officials.

Under the internal revenue laws every brewer, distiller, and manufacturer of tobacco must disclose the details of his private business under heavy penalties in the event of false or fraudulent representations. The present laws for taxing personal property are subject to this objection equally with an income tax law.

So that it is obviously out of place for any one who approves of any of these forms of taxation to denounce the income tax as involving an improper scrutiny into the private affairs of individuals. All direct taxes, whether upon personal property, incomes or even upon real estate, must from their very nature be

more or less inquisitorial, and the income tax is no more open to this objection than the others mentioned, if indeed it is as much so.

The idea sometimes advanced that the graduated income tax is an empty dream of visionary enthusiasts is not only refuted by the facts already given as to its results wherever placed in operation, but it is condemned out of the mouths of statesmen and financiers who are the idols and oracles of the very persons who raise this senseless cry.

In 1864, William P. Fessenden, then secretary of the treasury, said in his report:

> The adoption of a scale increasing the rates of taxation as they rise in amount, though unequal in one sense, cannot be considered oppressive or unjust, inasmuch as the ability to pay increases in much more than arithmetical proportion as the amount of income exceeds the limit of reasonable necessity.

John Sherman in 1882 expressed himself on this subject as follows:

> The public mind is not yet prepared to apply the key to a genuine revenue reform. A few years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation on consumption, and not one cent on property or incomes, is intrinsically unjust. While the expenses of the national government are largely caused by the protection of property, it is but right to require property to contribute to their payment. It will not do to say that each person consumes in proportion to his means. This is not true. Every one must see that the consumption of the rich does not bear the same relation to the consumption of the poor as the income of the one does to the wages of the other. . . . As wealth accumulates, this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

It may thus be seen that there are some among the advocates of an income tax who, whatever their faults, cannot justly be stigmatized as long-haired enthusiasts.

The fairness and justice of the graduated income tax are beyond question, it has been indorsed by financiers of eminence, and the main objections advanced in opposition to it being founded on contentions which are, as has been shown, without merit, the speedy enactment by Congress of a law providing for the imposition of this most just of taxes is much to be desired.

JOHN J. O'NEILL.

THE FARM AND THE SHIP.

BY A. C. HOUSTON.

IT HAS been reported that two or more distinguished political economists have been engaged in preparing for the coming session of Congress new tariff schedules under the direction and with the aid of the administration. It has also been reported that a tariff reform league has undertaken the same work, that the labors of Congress might be lightened and the reform sentiment of the country properly represented. Several distinguished members of Congress have also been named as being engaged with the aid of experts in preparing tariff bills.

The Democratic party, both by its past profession and present platform, is pledged to radical changes. The manufacturers of the country are apprehensive. Great interests are at stake. The work is difficult, tedious, and laborious, and with whatever motive it is undertaken, at best, when completed, there can only be an approximation to what is equitable and just.

Under these circumstances and difficulties often recurring, it is not strange that many minds have been employed in the effort to discover some automatic or self-adjusting method by which the citizen himself, whatever the tariff be, may be able to protect himself from imposition, and at the same time enlarge the markets of his country.

The reciprocity scheme of Mr. Blaine was in reality such an attempt. It was the fastening of a species of free trade upon a protective system, wherein the citizen by his own act in the choice of a market could avoid the imposition of import duties and at the same time build up new markets.

A representative from Minnesota has introduced in the present Congress a bill upon the same line, the purpose of which

sufficiently appears from this portion of the principal section:

> . . . That any goods or merchandise manufactured in a foreign country shall be admitted into the territory of the United States *free of duty*, if bartered or exchanged for wheat, cotton, corn, barley, oats, rye, rice, potatoes, butter, cheese, eggs, poultry, meat, pork, tobacco, or wool raised or produced in the United States.

Similar to this, during the first session of the Fifty-second Congress, a bill was introduced by a representative from North Carolina, providing

> That all vessels built within the United States by citizens thereof, and wholly owned and manned by citizens of the United States engaging in foreign commerce, shall be allowed to enter and discharge their returning cargoes, or so much thereof as will be of equal value in money to their outgoing cargoes, at any port of the United States free of all custom duties: *Provided*, that said vessels shall have carried full outgoing cargoes from the United States, three fourths at least of which cargoes consisted of agricultural products of the United States.

It was claimed by its friends that this short measure would regulate and keep regulated the whole tariff system of the country; build up a merchant marine, without subsidy, for the United States second to that of no other power, and at the same time remedy the present depressed condition of the agricultural interests of the country.

The St. Louis (Mo.) *Republic*, in commenting on this measure at the time it was introduced, said:

> The shipping and reciprocity bill, proposed as a substitute for the old adminstration's measures of subsidy, would in a few years after its passage completely revive our foreign trade and put agriculture on a basis of solid and enduring prosperity.
>
> The principle of the bill is honesty and simplicity itself. It does not propose to take a dollar of taxes to pay freight either for manufacturers or farmers. It fully adopts the principle of reciprocity in which Mr. Blaine seeks to find an excuse for subsidies to steamship corporations, but it applies this theory in an open and straightforward way.
>
> In less than two years after the passage of such a law, ninety-five per cent of the ocean carrying trade of the United States would be done in American ships, and there would hardly be a port in the civilized world without the American flag in its harbor.
>
> Our surplus of agricultural products would move out at once in constantly increasing quantities, thus giving immediate relief to this market from the pressure when crops are first thrown on it, and insuring reasonable prices for farm products the year round, while at the

same time establishing a healthy competition in manufactured goods, through which trusts would be made impossible.

With the exception of a few such commendatory notices the bill as soon as it was referred to the Ways and Means Committee passed entirely out of sight. It deserved more consideration, for in it lie suggestions that would prove of great value to those who have in charge the regulation of foreign commerce.

It could not be charged against such a measure that it was class legislation. About fifteen per cent of our farm products are now annually exported, and less than five per cent of our manufactured products. When this disproportion is considered the manufacturers of the country rather than the farmers are favored in the proposed regulation of the outgoing cargo. The kind of imports should in no manner be restricted, because that would have a tendency to limit the foreign market. The character of the vessel also should not be determined, for the humblest craft should be benefited and monopoly prevented. Who would be benefited? Apart from the indirect benefit to all, the principal direct benefit from such a measure would of course result to the farming industry and the shipping interests of the country. The supreme need of the farming class is a foreign market with better prices not only for the present surplus of its products, but for such a surplus as the stimulus of this measure would create. The owners of vessels with cargoes three fourths agricultural products would be compelled to find a foreign market for this surplus. It would create a merchant marine for the United States, and the stars and stripes, now rarely seen upon the ocean, would become a more frequent sight upon its highways than the flag of any other nation. See how rapidly reciprocal trade with the Hawaiian Islands built up a merchant marine on the Pacific coast equal to the demand of the trade.

But those manufacturers also who have been asking for free raw material would here find an opportunity to obtain it. There would be an increased demand for lumber, iron, and coal; while every port on the vast extent of our coast, not only in its seagoing population but in its every class and interest, would be benefited.

Who would build the ships? Some capital would in all probability be provided by those manufacturers who want free raw material. The farmers themselves, if it became necessary, through their own organizations, could provide ships for the exportation of their products. But the moment the carrying trade is made profitable to our own citizens, as it would surely become under the provisions of such a measure, capital would soon provide transportation facilities. If capital should combine to prevent the building of ships, a thing hardly possible, a law, allowing the purchase of foreign built ships would offer a final remedy. In government statistics it is estimated that the carrying of our foreign commerce costs the people of the United States annually $250,000,000, and that less than fifteen per cent of that sum is earned by American vessels. Here, if it were possible to aggregate that great sum, now really lost to us, all the ships necessary for the whole of our foreign commerce could in a short time be built.

It may be objected that this proposed measure is nothing but free trade in disguise. The same objection was offered to the reciprocity scheme of Secretary Blaine. The free trader would not object to the measure, but would hardly be satisfied with it. It falls far short of free trade. It is limited by the shipbuilding desire and capacity of this country. It is limited by the amount of the agricultural surplus, and also by the demand of a foreign market for that surplus. No doubt for a few years under the stimulus of such a measure our agricultural surplus would increase, but as our population enlarges, and the home demand becomes greater, the surplus wound gradually decline. It has been predicted that not a bushel of wheat will be exported from this country in less than twenty years.

A. C. HOUSTON.

CRANKS.

BY EDWARD ROLLIN GREGG, M.D.

I.

THE assassination of Mayor Harrison of Chicago has again brought before the public the subject of "cranks," and has shown the necessity for proper legislation to restrain them.

In all parts of the country many prominent men are receiving threats and letters from "cranks." Some of the letters are simply annoying requests, others are threatening. Most of these threats are allowed to pass unnoticed because they are offered by lunatics. If the same threats were made by a sane but desperate man, they would quickly be investigated. If so with these threats, why not with those of an insane man, who is more dangerous?

All maniacs who manifest a homicidal tendency should be under observation just as much as a suspected criminal, and every one known or suspected to have this tendency should be reported to officials having power to investigate such cases.

Men like this Prendergast, whose minds revert to certain delusions, usually in regard to themselves, are called monomaniacs, and they should not be encouraged in any way in their fancies. For the non-realization of their fixed delusions may create a wild desire to do bodily harm. Such delusions are the product of a diseased brain, or originate in some impression made upon the mind, perhaps from reading some inflammatory literature, perhaps from listening to anarchistic orators. The people individually can do much to stamp out the delusions of these men in their beginning, by gently but firmly repeating to them the impossibility of realizing their false hopes, and thus create a stronger counter-impression in their minds, which may overcome the original one.

Dangerous "cranks" should not be thrown into a prison of convicts, for it often would aggravate their condition and cause them to more firmly believe in their delusions. What they do need is comfortable quarters, and as much moral treatment as medicinal.

As concerns the public, cranks could be divided into three classes: First, cranks who are always dangerous; second, cranks who might easily become dangerous; third, cranks who would never become dangerous. The last class interests us but little.

For the control of these treacherous persons, a board, composed of physicians who are specialists on insanity, should be appointed in every community to examine all cases reported to them, and they should decide to which of the above classes each belongs.

Those found to come under the first class should be confined in proper institutions, those in the second class should be under surveillance and examined from time to time, and the progress of each case kept on record. Those in the third class would, of course, be discharged and allowed their usual freedom.

I think an examination of suspicious lunatics should even be solicited by friends or relatives, as it not only is for the public welfare, but might even be for the safety of the family or associates. No rational objection could be made to the examination of such insane people, for it is done in the delicate way necessitated by the peculiar condition of mind of such cases.

It is certain that some efficacious measure must soon be adopted to control cranks, or not only will they continue to assassinate, but men will never feel safe when in a position of prominence.

EDWARD ROLLIN GREGG, M.D.

II.

The modern crank seems to be a most unfortunate person whether viewed in his individual capacity or in his relations to the public. Too much of a fool to be called sane, he does not receive the same credit for his good endeavors that is accorded the well-balanced man; and too sane to be called a lunatic, he is not granted that freedom from responsibility for his evil deeds

that is allowed those who are so far beyond the uncertain border line between sanity and insanity as to be humanely classed as irresponsible.

Mental physiologists, of course, class all deviations from the normal mental state as insanity in some degree, but the public still persists in classifying those whose hallucination is in a single direction and not too far wrong as "cranks" within the pale of mental responsibility.

Public attention has been called to the danger from this class of citizens more forcibly by the assassination of Mayor Harrison of Chicago than at any time since President Garfield was shot down by the crazy Guiteau.

Without attempting to discuss the causes that tend to develop cranks or propose legal measures that might be taken as a protection against them, the object of this short paper is simply to suggest an idea that, if put into practice, might at least discourage cranks in their murderous attacks on prominent men.

Anyone who has ordinarily good faculties of observation will agree that the average man is more or less inspired with the desire of making a show and attracting attention. We see minor instances of this in dress, building and furnishing houses, in the personal column of the newspaper, and so on. The number of those who constantly spend time and money in order to gain a share of public attention is very large. The county histories that have been prepared of most of the older counties of the country afford a good illustration. Most of them contain page after page of cuts of Mr. and Mrs. Smith, Mr. and Mrs. Jones, and other Misters and Mistresses, with a family history—all of which cost many a weary day's labor. In homes where the tax collector has been obliged to go often enough to earn, not only his percentage, but the whole amount he was trying to collect; where never a dollar has been given to charity's cause, the county history man has found it an easy matter to collect from $50 to $150 for gratifying this desire born of vanity.

We see this desire for "glory" manifested in a still stronger degree in nearly every newspaper, as we gaze on the classic features of some college professor, minister, or chief of police,

who describes for the benefit of humanity his experience with somebody's liver pills, celery compound, or kidney cure.

A still different manifestation of the same desire for public notice is that which induces a man to pay from $50,000 to $100,000 for a six year term of office at a salary of $5,000 a year.

Men go over Niagara's abyss, jump from dizzy heights to what is likely to prove certain death all for the sake of being advertised as—fools.

It is this same line of notoriety that leads the tinsel bedecked general to rush in where angels never tread and risk his life in front of entrenched enemies in the hope of having his name emblazoned on history's page as a hero. It is true he may be imbued to some degree with that peculiar and common kind of patriotism that leads men under the plea of duty to kill their fellows and claim glory for it, but this in the light of a true civilization will not be placed on a much higher plane than the horrible delusion that led Guiteau to slay a nation's ruler and sacrifice himself for what he in his crazy mind thought was his duty to party and country.

Though most men are influenced by this love of attention. None but a crank is likely to commit a crime for the sake of securing it. Those cranks from whom public men have most to fear are as a rule inordinately vain, and as they do not have the means to buy notoriety nor the ability to achieve it legitimately they, regardless of consequences, are likely to resort to that method which they feel sure will give them the coveted notoriety, even if it is of a notorious kind, thus proving the truth of the couplet,

> What rage for fame attends both great and small
> Better be d——d than mentioned not at all.

It is said that in China men can be found willing to die for the glory of having a grand funeral pageant, and some cranks seem willing to risk their lives which are, perhaps, hardly worth the living, to create a national sensation and have their names, pictures, and histories laid before millions of readers day after day.

It is not unlikely that John Wilkes Booth, who is regarded as

less of a crank than most assassinators of public men, was led to commit his murderous deed largely for the desire of the notoriety that would follow. His tragic *sic semper tyrannis* indicates that he was playing a desperate game for as much notoriety as he could get out of it.

Now as to the promised suggestion. Newspapers should cease their abuse and vilification of public men, and they should cease giving names and details concerning cranks who attempt to assassinate public men. I do not have the faintest idea that the suggestion will receive any attention but that neither detracts from nor adds to its value.

The press must share largely in the responsibility for the deeds of such cranks as Guiteau and Prendergast. The tone of the American press toward its public men is shameful, indecent, outrageous. From the little attacks made upon Garfield, not only by his political opponents, but by disappointed office seekers of his own party, a more sound mind than Guiteau's would have been led to think it a patriotic duty to rid the country of his presence. It was this incendiary talk that fired the crazy brain of the crank to shoot him down under the idea of doing his duty and expecting as a reward a high office from those who were put into power by his act.

If a small part of the charges made against Carter Harrison when he was a candidate for the Mayoralty of Chicago were believed it is a wonder that some one had not long before considered it a religious duty to remove him from this earthly sphere. Scarcely can a man offer himself for an office of any prominence without being held up as a villain unfit either for public place or private station. It was this abuse of H. C. Frick as a capitalist and employer of labor that led the crank Berkman to attempt to take his life.

The press must share the responsibility on the score, too, of giving undue prominence to the acts of assassins and thus give them the notoriety they seek. Surely no sensible person considers it necessary to know all the details of the acts of a crank. It is difficult to understand why anyone should have any anxiety to know even the name of such a creature. If all the personal

information conveyed to the public of such men when they become violators of law would be that the act was done by a fool or a villain it would no doubt tend greatly to discourage a very common class of cranks in their evil purposes. We certainly would be safer from cranks if newspapers in all such cases would adopt the example of the French historian, Guizot, who, in speaking of the murderer who took the life of France's beloved king, Henry IV, simply said "he was stabbed by an abominable assassin."

ANDREW J. PALM.

AMONG THE BOOKS.

The Book of the Fair. By Hubert Howe Bancroft. Part I. Chicago and San Francisco: The Bancroft Company. Price, $1.00 per part.

"The Book of the Fair" is intended to give a full description, finely illustrated, of the recent Columbian Exposition. No more competent man than Mr. Bancroft could have undertaken the work, and the public expects much in "The Book of the Fair." Judging from Part I., it will fully meet all reasonable expectations. The illustrations are excellent, while the paper and presswork are simply unexcelled. A brief but interesting description is given of former international expositions, valuable for the purpose of comparison, even if for nothing else.

The work will consist of twenty-five parts of forty pages each, making when completed a volume of one thousand pages. The size of the page is twelve by sixteen inches, and the entire work will contain over two thousand illustrations, many of them full page plates. It will be issued at the rate of two parts per month until completed.

The Rosenthal Method of Practical Linguistry. By Prof. Charles S. Rosenthal. In ten parts. 416 pages. Chicago: Polyglot Book Company. Price, each language complete, $5.00.

The ten parts before us are devoted to the German language,

though a like number of parts are prepared each for the French and the Spanish. Prof. Rosenthal is the author of the well-known Meisterschaft system of acquiring a practical use of the modern languages, and he claims to have profited by his experience so as to greatly improve on his former system—the Meisterschaft. He maintains that no one has ever mastered a language in its entirety and hence he makes a division into the language of literature and the language of everyday life. He insists and with good reason, too, that in the study of French or German we should first acquire a practical working knowledge of these languages before entering upon the study of classical literature.

The steps in this new method are very gradual, and the industrious student who once gets a start in pronunciation should be able to converse fairly well by the time he completes this course, and he should be able to complete it within a year by studying simply during spare moments. Almost any young man or woman has wasted enough time on reaching twenty-one years of age to have acquired a fair knowledge of two or three foreign languages if it had been intelligently directed.

References For Literary Workers. By Henry Matson. 8vo, cloth, 582 pages, Chicago, A. C. McClurg & Co. Price $2.50.

The aim and scope of this helpful book are not clearly indicated by its title from which one might infer that the references are such as may be found in a cyclopedia or handbook of literary curiosities. It is a reference book in the strictest sense as its principal purpose is to refer and not give the information to which reference is made.

Three hundred and twenty-four topics are given, relating to a great variety of questions concerning all peoples and all periods. Each topic is followed by a concise though brief discussion in an impartial spirit, and then reference is made to various authorities such as cyclopedias, magazine articles and other works where those who are interested may find a full discussion on one or both sides of the question.

The plan can be better illustrated, perhaps, by taking an example from the book. Under the term "Jury" we find the fol-

lowing questions: 1. Do the advantages of the jury system outweigh its evils? 2. Is the jury system worthy of being retained? 3. Should a three fourths majority be sufficient for a decision by the jury? The questions are followed by a brief discussion as to the advantages and disadvantages of the jury system without any statement of opinion as to whether it should be abolished or retained. Then follow twenty-six references to books, magazines, and papers where the subject is discussed pro and con.

In addition to these 324 topics, followed by discussion and references, there are 287 good topics for discussion given without comment or reference. The book will be a most welcome one to all who write or speak, and particularly valuable to debating societies, both as an aid in getting suitable questions for discussion and showing where information may be found concerning them.

The Principles of Ethics. By Borden P. Bowne. 8vo, cloth, 309 pages. New York: Harper & Brothers. Price $1.75.

The author of this book fills the chair of philosoply in Boston University, and has written several books on subjects kindred to that discussed in this volume.

One feature that distinguishes this book from many of its class is that the author places a higher value on morality for what it is worth in this life, without speculating or moralizing as to whether the lack of it will cause us trouble in the life that may be beyond. He does not predicate his system of ethics on a belief in God and a future life, though he believes that the continuity of life is necessary to give meaning to life. He insists that the aim of conduct is not abstract virtue, but fullness and richness of life; that life itself is the field of morals and the realization of ideal life the aim of morality. Faithfulness in the actual relations of family, neighbor, and citizen seems to be his conception of an ideal life.

He says: "Whenever any two persons meet anywhere in existence they owe each other good-will. It is indeed possible that if there were supposed to be no justice in the heavens, no

throne of righteousness, and no doom for iniquity and oppression these duties would be largely disregarded; but none the less would they be duties which ought to be recognized and performed."

Regarding the part of the will in a system of ethics, our author differs from Schliermacher who asserts that we should not think differently whether or not we have freedom of will; that the bad is bad by necessity just as the ugly from necessity is still ugly. Prof. Bowne rather agrees with Kant that freedom of will is a necessary factor in a system of ethics, and especially in a system that sets forth precepts which to obey is regarded as merit and to disobey counted as sin. He argues that if man be simply an automaton we might as properly speak of the conduct of the wind as of human conduct.

The first third of the book is rather dry reading, but the remaining two thirds are interesting enough to more than make up for the deficiency. The chapters, "Development in Morals," "Ethics of the Individual," and "Ethics of Society," are particularly able and interesting, and indicate the fairness, liberality, and ability that the author has brought to bear upon the subject.

It would be an inexcusable oversight on the part of the reader not to notice the typographical excellence and beauty of the book. The paper, type, and presswork are of the highest order.

Donald Marcy. By Elizabeth Stuart Phelps. 12mo, pp 242. Boston and New York: Houghton, Mifflin & Co.

This is a story of college life with enough of the tender passion interwoven to add to the interest. Like all of Mrs. Phelps' writings, the moral tone is good, and the volume is a very appropriate one to place in the hands of young people. Donald Marcy, the hero, and Fay Fleet, the heroine, are characters, very like those that may be found in real life.

The Well-Dressed Woman. By Helen Gilbert Ecol. 8vo, pp 262. New York: Fowler & Wells Co.

Everybody likes to see a well-dressed woman, though there is

a great difference as to what constitutes such a creature. There are two things to be observed in dress, namely: appearance and comfort, and unfortunately up to the present writing the great majority of women think infinitely more of the former than of the latter. The aim of this book is to teach that no woman is well dressed who is not comfortably dressed, and while the author has made out her case it is safe to say that the great majority of her sisters will go right on wearing tight collars, tight garters, tight corsets, tight shoes, and long skirts for at least a generation or two to come. Fashion rules with tyrannic sway over judgment and taste, and there seems to be no style of garment that she cannot induce her votaries to endure, regardless of appearance, expense, or comfort.

Dress reform, like all reforms, is of slow growth, but its determined advocates, conscious that they are interested in a good cause, keep right on in their work, and they have reason to believe that in time they will persuade men and women to use their sense in matters of dress as in other things. This book is worthy of a reading in every family, no matter whether the reader may be classed as a dress-reformer or not, for it contains a vast deal of information that is well to know. It contains a large number of illustrations, some of which are more forceful than graceful, but many of which show off the different styles of dress advocated by the reformers to good advantage.

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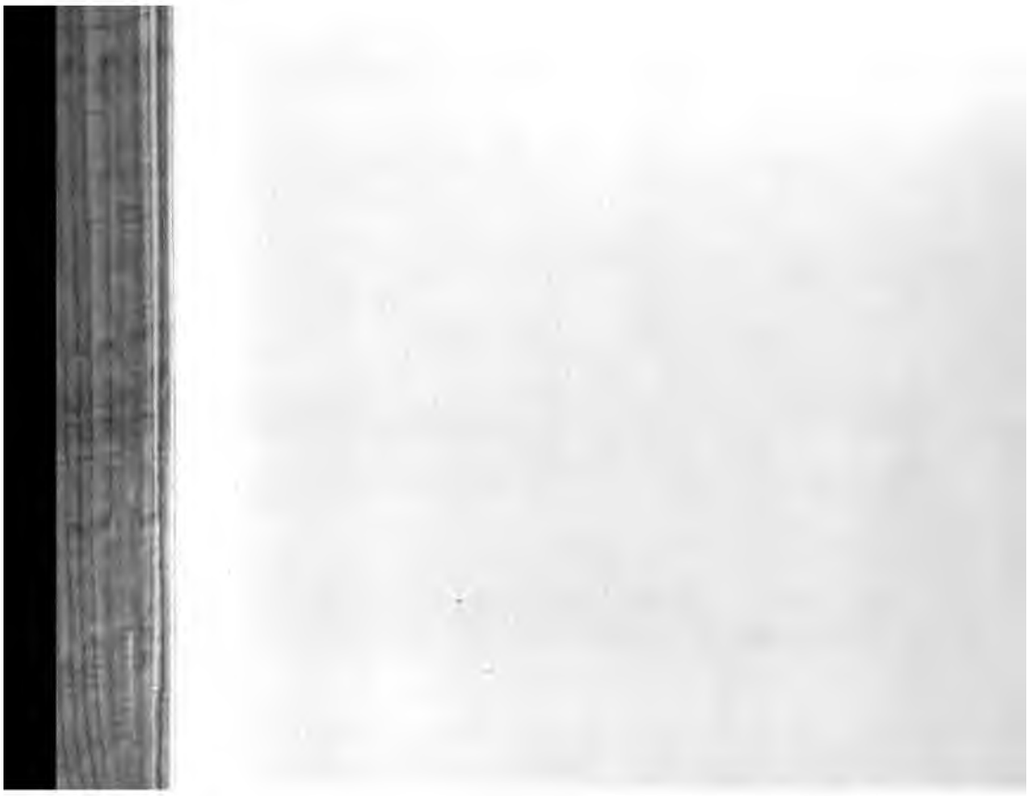
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